International Boundary and Water Commission
United States and Mexico
United States Section

Draft Environmental Assessment

Implement International Agreement for Deliveries

to Tijuana, Baja California

of a Part of Mexico's Colorado River Waters

Through the Southern California Aqueducts

March 13, 2001

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES SECTION

Implement International Agreement for Deliveries to Tijuana, Baja California, of a Part of Mexico's Colorado River Waters Through the Southern California Aqueducts; Notice of Draft Finding of No Significant Impact

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico

ACTION: Notice of draft Finding of No Significant Impact for a draft Environmental Assessment

SUMMARY: Based on a draft Environmental Assessment (EA), the United States Section (U.S.) finds that the proposed action of implementing an international agreement with the Government of Mexico through the International Boundary and Water Commission (IBWC) to provide emergency deliveries to Tijuana, Baja California, of a part of Mexico's Colorado River water allotment through the Southern California aqueducts, is not a major federal action that would have a significant adverse effect on the quality of the human environment. An environmental impact statement will not be prepared for the project unless additional information which may affect this decision is brought to the attention of the U.S. within thirty (30) days of the date of this Notice. The draft Finding of No Significant Impact (FONSI) and draft EA have been forwarded to the United States Environmental Protection Agency and various Federal, State and local agencies and interested parties. Your written (ATTN: Mr. Steve Fox, USIBWC, 4171 N Mesa St, C-310, El Paso, TX 79902) or e-mailed (stevefox@ibwc.state.gov) comments will be considered in the final USIBWC decision on the proposed action. Your comments on the draft FONSI and draft EA would be appreciated within 30 days after publication in the *Federal Register*. These documents can be reviewed on the USIBWC Home Page at http://www.ibwc.state.gov under "What's New" or at the San Diego Central Library, 820 "E" St.; City of San Diego, Environmental Services Library, Ste. 130, 9601 Ridgehaven Court; Otay Mesa Branch Library, 3003 Coronado Ave., San Diego; San Ysidro Public Library, 101 West San Ysidro Blvd.; Civic Center Branch Library, Eastlake Public Library, 365 F St., Chula Vista; and San Diego County Libraries at the Casa de Oro Branch, 9628 Campo Road # L, Spring Valley and at 1043 Elkelton Blvd., Spring Valley. A limited number of copies are available for review and comment upon request from Mr. Fox at the above address or e-mail or at (915) 832-4736.

The purpose of the proposed action is to arrange emergency deliveries of a portion of Mexico*s Colorado River water allocation through the Southern California aqueduct system to the Tijuana water distribution system under the terms of an international agreement. The proposed action would alleviate some of the current water shortage in Tijuana, with a population of about 1.3 million, and conditions that could lead to serious public health and economic problems that may impact inhabitants on both sides of the international boundary.

The emergency water deliveries would be made under the terms of a Minute of the IBWC utilizing the existing facilities in the United States. A minute is an international agreement of the IBWC. The agreement will provide terms and conditions for the emergency deliveries. The IBWC may conclude such agreements under the terms of the United States/Mexico Treaty of 1944 (1944 Water Treaty). The U.S. Commissioner of the IBWC is authorized to arrange such agreements in the United States by the Act of August 19, 1935 (U.S. Congress, 1935) and the American--Mexican Treaty Act of September 13, 1950, (U.S. Congress, 1950).

The alternative is no action. The City of Tijuana is considering improvements to their system. The Southern California agencies that operate and maintain the Southern California aqueducts are willing and able to make deliveries under emergency conditions.

The proposed five year emergency water deliveries would begin during the spring of 2001 and would consist of a delivery to Tijuana of a portion of the waters allotted to Mexico under the 1944 Water Treaty. The waters are for use in Tijuana, Baja California. Conveyance will be by means of aqueducts owned and operated by the Metropolitan Water District (MWD) and the San Diego County Water Authority (SDCWA). Emergency water deliveries to Mexico from the Southern California aqueducts will be through pipelines and other facilities belonging to the Otay Water District (OWD) up to a maximum rate of 0.6 m^3/sec (14 mgd) during peak demand periods in Tijuana. The delivery to Mexico, based on Mexico's request, not to exceed conveyance system capacity, would use the existing emergency connection located at the international boundary about 6.3 miles (10.1 km) east of the Otay port-of-entry, on Otay Mesa, San Diego, California.

The final conveyance point to Mexico requires use of an existing line to be replaced at Mexico's expense. This line to Mexico requires the replacement of an 80-foot segment of existing 14-inch pipeline that was initially installed as a temporary measure. Up to 120 feet of deteriorated 24-inch pipeline will also be replaced. Therefore, a maximum of approximately 200 linear feet of pipeline will be replaced, between the OWD meter to the international border, with 24-inch pipeline consistent with the remainder of OWD pipelines in the Otay Mesa area. The upgrade in diameter that will occur through the replacement of 14-inch diameter section of pipeline will require the installation of a meter vault and bypass that will also include backflow prevention and a small (less than 1,000 square foot) concrete security building or fence. All pipeline and meter vault construction, as well as completed facilities, will be located within the existing 30-foot wide OWD easement on the site which is accessible by existing roads. This improvement facilitates the City of Tijuana's peak demand of approximately 4.0 m^3/sec (91 mgd) by the Comision Estatal de Servicios Pubilico de Tijuana's (CESPT) system. The surface area of the above ground structures will be approximately 260 ft^2 (24 m^2) and the area of the temporary land disturbance (i.e., construction) will be about 3050 ft^2 (283 m^2).

Under the no action alternative, the City of Tijuana could experience a water supply shortage lasting upwards of several days. There could be the public health risk of illnesses attributed to water shortages which could have an impact on communities on both sides of

the international boundary. Under another alternative, not considered in the EA, is that for water supply expansion in the City of Tijuana by Mexico. The responsible agencies in Mexico are evaluating alternative sources of water for the region such that emergency water deliveries would be needed until they can be constructed. Of the alternatives considered, the proposed action is most compatible with the responsibilities and powers of the United States Section IBWC in implementing United States/Mexico agreements of the IBWC and does not significantly affect the resources.

The detailed air quality analysis indicated project-related pollutant will be at the threshold for some of the criteria pollutants. The proposed action will be in compliance with San Diego Air Pollution Control District (APCD) Rules and Regulations. The overall air emissions impacts will be consistent with applicable ambient air quality standards. An application was submitted by the OWD to the APCD in May 2000 for a permit to increase operation of the three natural gas engines that will be required to deliver the water to Mexico. Staff plans to purchase specific equipment to continue the District's practice of equipment standardization and to obtain the best, proven engine and air pollution control technology. The APCD adopted revisions to Rule 69.4.1 in November 2000, six months after submittal of the original permit application to APCD. The revisions to APCD Rule 69.4.1 implement more stringent California state-mandated Best Available Retrofit Control Technology (BARCT) requirements to further reduce nitrogen oxide (NOx) emissions in San Diego County that will take full effect in 2002. OWD has determined that retrofitting existing engines to meet the new emission guidelines and deliver the water to Mexico will be cost prohibitive; therefore, OWD will purchase new engines with Best Available Control Technology (BACT)[(i.e., with new Caterpillar engines and non-selective catalytic reduction (NSCR) and NOx emissions controls)] that will more reliably and cost-effectively meet these new emission standards. OWD has committed to purchasing equipment that is the best, proven technology for accomplishing OWD purposes that will meet APCD requirements. OWD is currently in the process of purchasing the necessary engines and BACT in order to deliver the water to Mexico; however, due to the timing of the APCD mandate relative to Rule 69.4.1 and the date when water will need to be delivered to Mexico, OWD will be required to obtain a variance from APCD in order to operate the existing engines without BARCT until the new engines with BACT are installed, tested, and permitted. OWD will off-set or otherwise mitigate the emissions allowed during the APCD variance consistent with the terms and conditions of the variance as well as existing APCD rules and regulations.

Based on the conformity determination made under 40 Code of Federal Regulations (CFR) Part 51.858, the Federal action will be in conformity with the specific requirements and the purposes of the California Ambient Air Quality Standards pursuant to the United States Section's affirmative obligation under Section 176(c) of the Clean Air Act in accordance with the requirements of 40 CFR, Ch. 1, Part 51, Subpart W. The Federal action will be in compliance with the Clean Air Act and California's compliance requirements for air quality resources.

The proposed project complies with all requirements of Federal Statutes, executive orders

and other statutes, regulations and applicable permit, including the National Environmental Policy Act (NEPA), United States Section's NEPA implementing procedures and the California Environmental Quality Act (CEQA) because there will be no significant project impacts. Project coordination on air quality and all other resources, including cultural, biological, and any Federally threatened and endangered species or habitats is being completed concurrently by OWD and the United States Section for NEPA and CEQA compliance.

This draft EA, "Implement International Agreement for Deliveries to Tijuana, Baja California, of a Part of Mexico's Colorado River Waters Through the Southern California Aqueducts" assesses the potential impacts of the proposed action and its alternatives. No significant adverse affects to the resources of the connecting facilities, Otay Mesa, Southern California Aqueducts, Colorado River, City of Tijuana, biological, archaeological, historical and other cultural resources, water, air quality, environmental justice, energy, and induced growth are expected by implementing the proposed action.

Based upon the results of the draft Environmental Assessment and implementation of the proposed best available control technology and air permit stipulations, it has been determined that the proposed action will not have a significant adverse effect on the environment and an Environmental Impact Statement is not warranted.

Original Signed _____ March 13, 2001 _____

William A. Wilcox, Jr. **Date**
Attorney-Advisor (General)

Draft Environmental Assessment
Implement International Agreement for Deliveries to Tijuana, B.C. of a Part of Mexico's Colorado River Waters Through the Southern California Aqueducts

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Implement International Agreement for Deliveries to Tijuana, Baja California, of a Part of Mexico's Colorado River Waters Through the Southern California Aqueducts

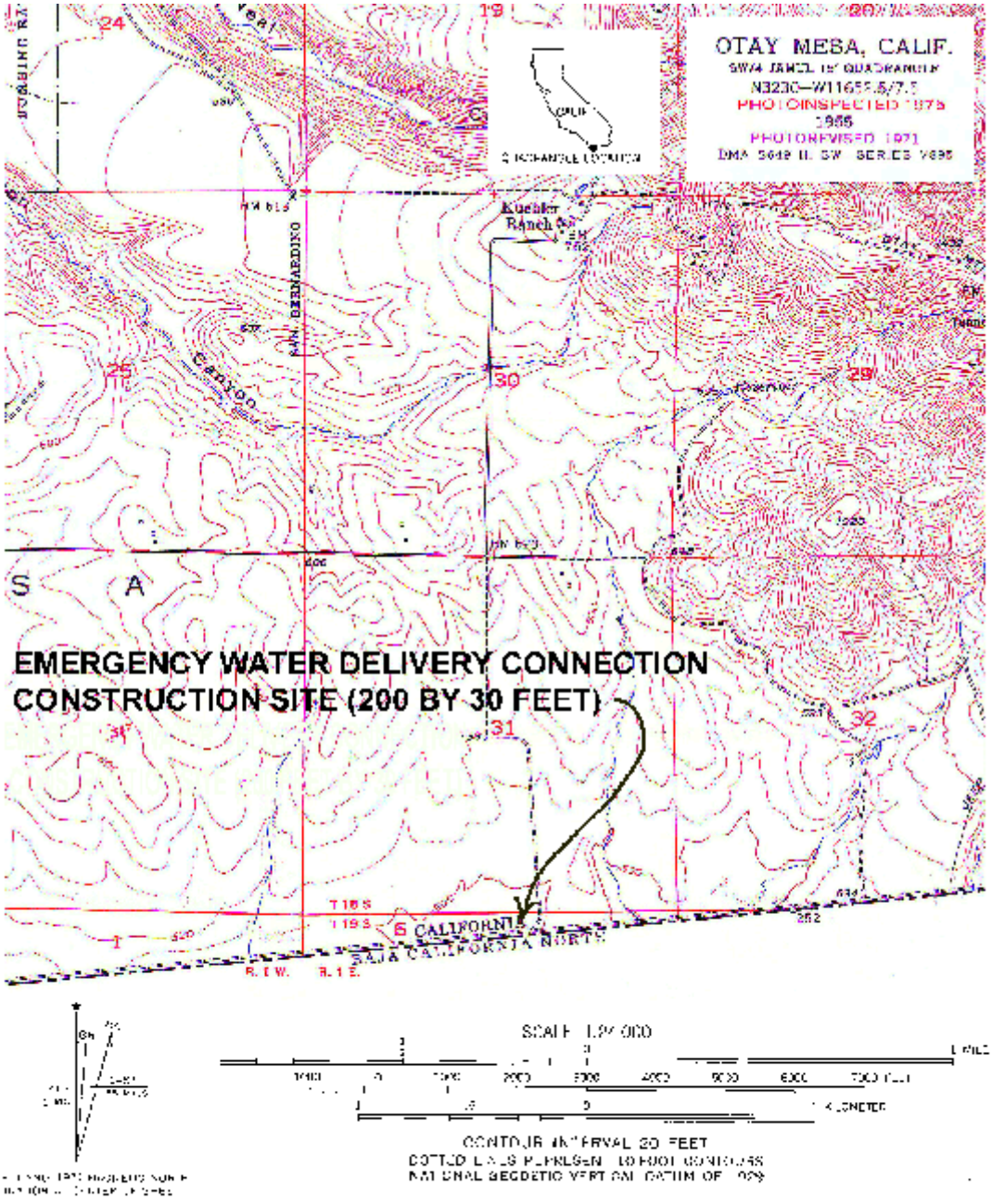
I. Purpose and Need

The City of Tijuana, Baja California, obtains most of its domestic water supply through an aqueduct system in Mexico that conveys a portion of Mexico*s Colorado River waters diverted in Mexico through 76.5 miles (122 kilometers) of canals, tunnels and pipelines. The system has been in operation for approximately 20 years and requires pumping to lift the waters some 3,772 feet (1,150 meters) above sea level across the Sierras de Juarez mountains. The system is subject to breakdowns which can result in short-term interruptions of water deliveries to the City of Tijuana.

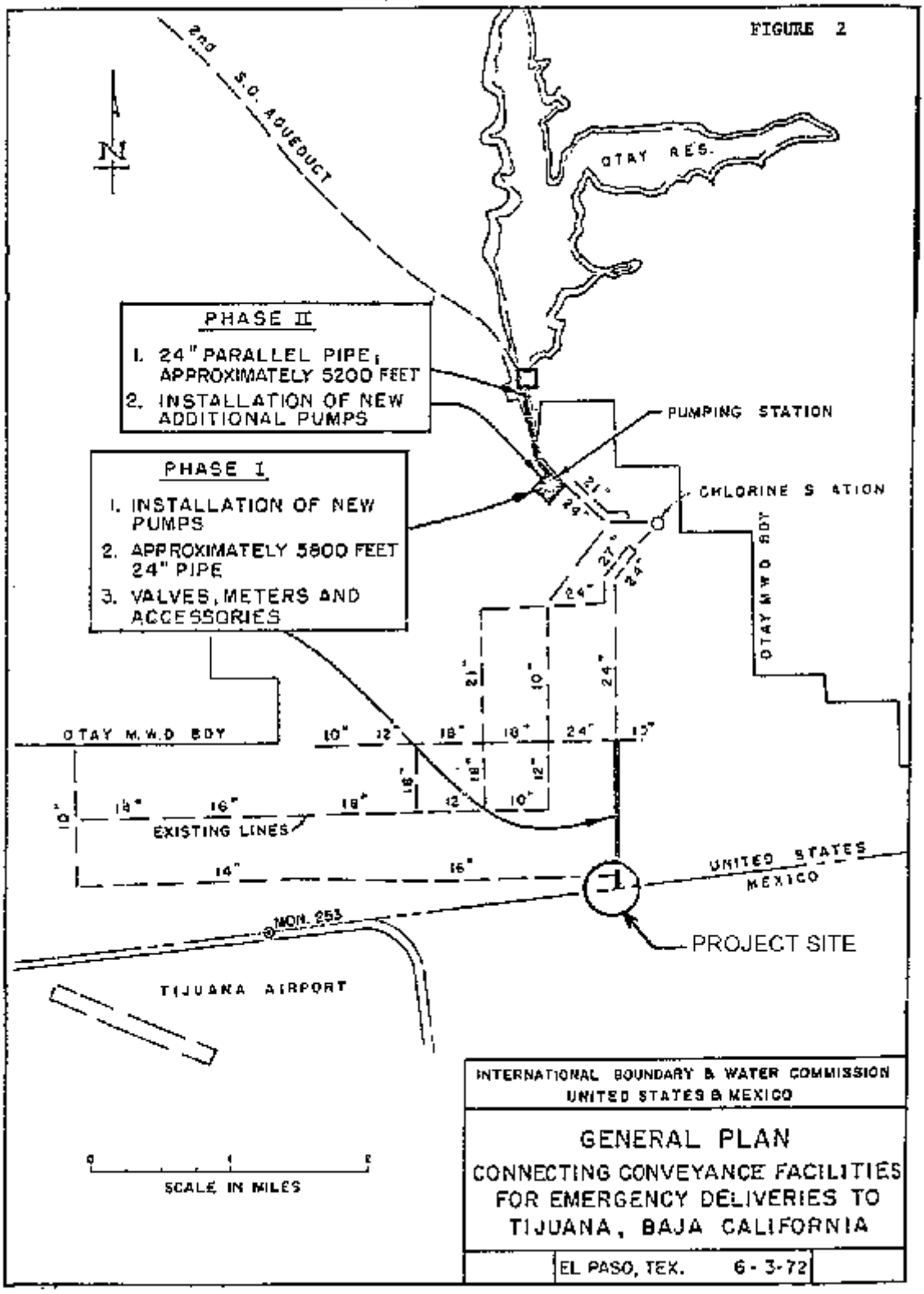
The purpose of the proposed action of implementing an international agreement is to arrange emergency water deliveries of a portion of Mexico's Colorado River water allocation through the Southern California aqueduct system to the Tijuana water distribution system under the terms of a Minute of the International Boundary and Water Commission (IBWC), an international organization under the United States and Mexico, according to the 1944 Water Treaty (IBWC. 1944). The proposed action would alleviate some of the current water shortage in Tijuana. A water shortage in Tijuana, with a population of about 1.3 million, could lead to serious public health and economic problems that could impact inhabitants on both sides of the border.

A connection exists at the international boundary (**Map 1, Drawing 1, Photograph 1**) between the Colorado River to San Diego County aqueduct system and the Tijuana water distribution system, which would again be utilized to make emergency deliveries of a portion of Mexico*s Colorado River waters through the Southern California aqueduct system. A United States/Mexico international agreement to permit such deliveries was concluded in 1972, but expired in 1982. The terms of that agreement and its subsequent amendments were applied in 1989 to arrange emergency deliveries to Tijuana when the Mexican aqueduct system experienced a breakdown.

The Mexican aqueduct again experienced a breakdown in 1992 which would have resulted in suspension of water deliveries to Tijuana for at least three days in early October 1992 but an agreement [(Minute No. 287 dated October 6, 1992)(IBWC. 1992)] ensured emergency deliveries. Continued population growth in the Tijuana region, low water supplies, and drought conditions have resulted in seasonal demands for water exceeding the capacity of the existing Mexican aqueduct during summer months.



Map 1. Project Emergency Connection Site.



Drawing 1. Project Emergency Connection Site.

Photograph 1. Project Emergency Connection Site. (Source: San Diego County Water Authority, 1999)

The City of Tijuana is evaluating water supply expansion. Agencies in Mexico are seeking alternative sources of water for the region, however, emergency deliveries would be needed until they can be constructed. The Southern California agencies that operate and maintain the Southern California aqueducts are willing and able to make such deliveries under emergency conditions.

II. Authority

The principles for emergency deliveries of Colorado River water to Tijuana are established in IBWC Minute No. 240 of June 13, 1972 (IBWC. 1944), as amended and extended in IBWC Minutes Nos. 243 of September 25, 1973; No. 245 of May 15, 1974; No. 252 of August 31, 1976; No. 256 of February 22, 1977; No. 259 of July 27, 1978; No. 260 of August 11, 1979; No. 263 of August 6, 1980, No. 266 of August 3, 1981; and No. 287 of October 6, 1992 (IBWC).

The proposed action of implementing an international agreement for five year emergency deliveries to Tijuana beginning in the spring of 2001 of a portion of Mexico*s Colorado River water allocation through the Southern California aqueducts would be made under the terms of a Minute of the IBWC. The deliveries require utilization of existing facilities in the United States. The agreement will provide terms and conditions for the emergency deliveries. The IBWC may conclude such agreement under the terms of the 1944 Water Treaty (TS 994; 59 Stat. 1214). The U.S. Commissioner of the IBWC is authorized to make arrangements in the United States for implementation of such agreements by the Act of August 19, 1935 (49 Stat. 660; 22 USC 277a-d)(IBWC. 1935) and the American--Mexican Treaty Act of September 13, 1950 (64 Stat. 846)(22 USC 277d-3)(IBWC. 1950).

III. International Considerations

The IBWC is charged with applying the various United States/Mexico boundary and water treaties, along with regulation and exercise of the rights and obligations assumed by both governments under these treaties, as well as settlements of differences in the application of those treaties. The “United States Section Procedures For Implementation of the National Environmental Policy Act of 1969" (IBWC. 1981) are in the Federal Register of September 2, 1981. The proposed action is exempt from provisions of Executive Order 12114 of January 4, 1979 (U.S. President. 1979), regarding environmental effects abroad of major federal actions, since the IBWC jointly develops and carries out projects with the Government of Mexico.

IV. Alternatives

Table 1 gives pertinent environmental requirements that guided EA development.

Table 1.
Applicable Environmental Statues and Regulations

Environmental Regulation

Federal Statutes

Act of August 19, 1935 (USIBWC. 1935)
American—Mexican Treaty Act of September 13, 1950 (IBWC. 1950)
Archeological and Historic Preservation Act
Clean Air Act, as amended [1]
Clean Water Act, as amended [2]
Endangered Species Act, as amended [3]
Fish and Wildlife Coordination Act, as amended
Land and Water Conservation Fund Act, as amended
National Historic Preservation Act, as amended [4]
National Environmental Policy Act, as amended [5]
Farmland Protection Policy Act
Federal Land Policy and Management Act
The Treaty of February 3, 1944 for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" (United States/Mexico Treaty of 1944)(1944 Water Treaty)(IBWC. 1944)
Energy Policy Act of 1992 (PL 102-486)(Comprehensive Federal Energy Program)

Executive Orders

Executive Order 12114 of January 4, 1979 (Environmental Effects Abroad of Major Federal Actions)(United States President. 1979)
E.O. 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations)
E.O. 11990 (Protection of Wetlands)
Executive Order 12759 of 17 April 1991 (establishes new federal energy goals)

Statutes, Regulations, or Applicable Permits

California Environmental Quality Act [1]
California Air Quality Standards [1]
Footnotes:

[1] San Diego County Water Authority (SDCWA) is completing CEQA compliance requirements and the Otay Water District (OWD) will ensure that water deliveries will comply with Federal Clean Air Act concurrently to the U.S. Sections's [5] NEPA and other Federal statutes compliance requirements and coordination. Though OWD completed Categorical Exemption for the proposed action in August 2000, this exemption would cover the installation of OWD facilities and not the emergency water deliveries in total. Consistent with Sections 15221, 15225 9and others) of CEQA, the SDCWA will adopt an EA/FONSI consistent wit CEQA as a Negative Declaration. OWD submitted a permit application to retrofit with BCT for increased use of three existing natural gas engines to the San Diego Air Pollution Control District (APCD) in May 2000 (**See Appendix F**), and this is deemed complete. APCD adoption of Rule 69.4.1 will require OWD to amend the application to apply to new engines that will more easily meet emission standards.

[2] Clean Water Act Section 401 Certification & Section 404 Permit are not applicable, forms are included for details.

[3] There are no impacts to threatened or endangered species or habitat associated with the proposed action so the Endangered Species Act requirements are not applicable. Concurrence is requested from USFWS in the mailing of this Draft EA.

[4] There are no cultural, historical or other cultural resources associated with the proposed project so Section 106 of the National Historic Preservation Act concurrence on a "no historic properties affected" determination with the CA State Historic Preservation Officer (SHPO) was requested in a separate letter at the time of mailing this Draft EA.

A. Proposed Action

Emergency deliveries would be made under the terms of an IBWC Minute utilizing existing facilities in the United States. The deliveries would be for a maximum of five years and would begin in the spring of 2001. The waters delivered to Mexico would consist of a portion of the waters allotted to Mexico under the 1944 Water Treaty. The waters are for use in Tijuana, Baja California. The IBWC Minute follows. The basic terms established in earlier IBWC Minutes have been modified to cover terms and conditions under which the California agencies can facilitate emergency water deliveries during the spring of 2001. The deliveries would be made under the following terms and conditions:

(1) Effective beginning in the spring of 2001 and continuing for up to five years, water deliveries can be made through the Southern California aqueducts at up to a maximum rate of 0.6 m^3/sec (14 mgd) during peak demand periods.

(2) Deliveries will not exceed the capacity available in the Southern California aqueduct system such that deliveries and flows to other agencies are impeded.

(3) The United States Section of the IBWC will ensure international agreement terms under which water deliveries and conveyance losses are deleted against Mexico's Treaty water delivered on the boundary section of the Colorado River.

(4) The United States Section of the IBWC will ensure international agreement terms under which Mexico will cover all of the costs incurred in making deliveries, all under the supervision of the IBWC. The United States Section of the IBWC will ensure international agreement terms under which Mexico will compensate for revenue lost from power not generated as a result of the diversion of a part of Mexico's treaty water at Lake Havasu.

(5) The United States Section of the IBWC will transact payment from Mexico to the Southern California agencies for the emergency deliveries.

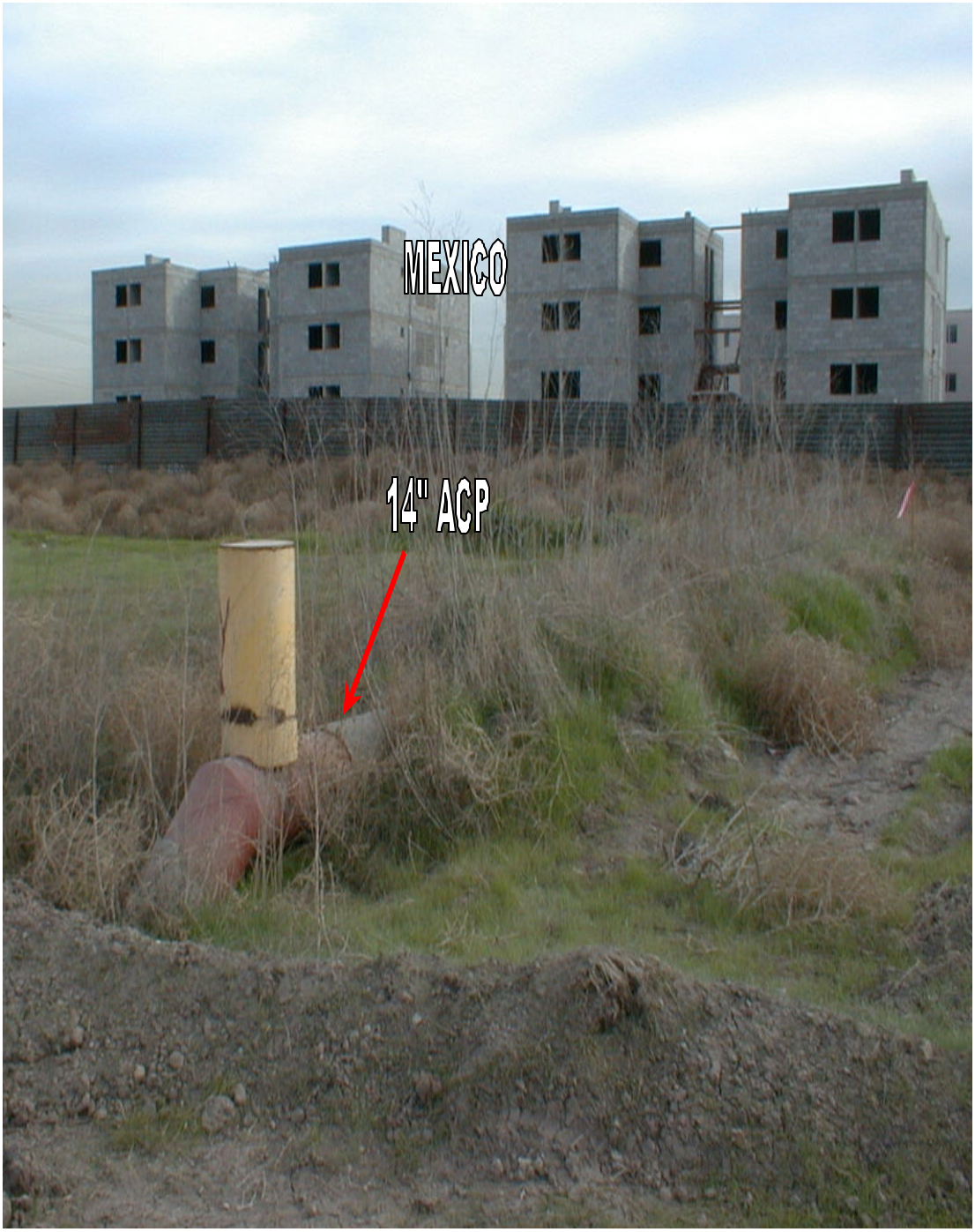
(6) The United States Section of the IBWC will ensure international agreement terms under which calculated adjustment for determining the salinity differential under Minute No. 242 (IBWC. 1973) will be made in the salinity content of the Colorado River water delivered to Mexico at the northerly international boundary in the Colorado River to take into account the emergency deliveries of water to Tijuana.

(7) The United States Section of the IBWC will ensure international agreement terms under which deliveries to Tijuana will not reduce the minimum rate of deliveries of Colorado River waters to Mexico at the northern international boundary for the

purpose of scheduling Mexico*s deliveries at that point at Parker Dam, Siphon Drop Power Plant and Pilot Knob Power Plant. Mexico will compensate that revenue loss in an amount determined by the U.S. Bureau of Reclamation.

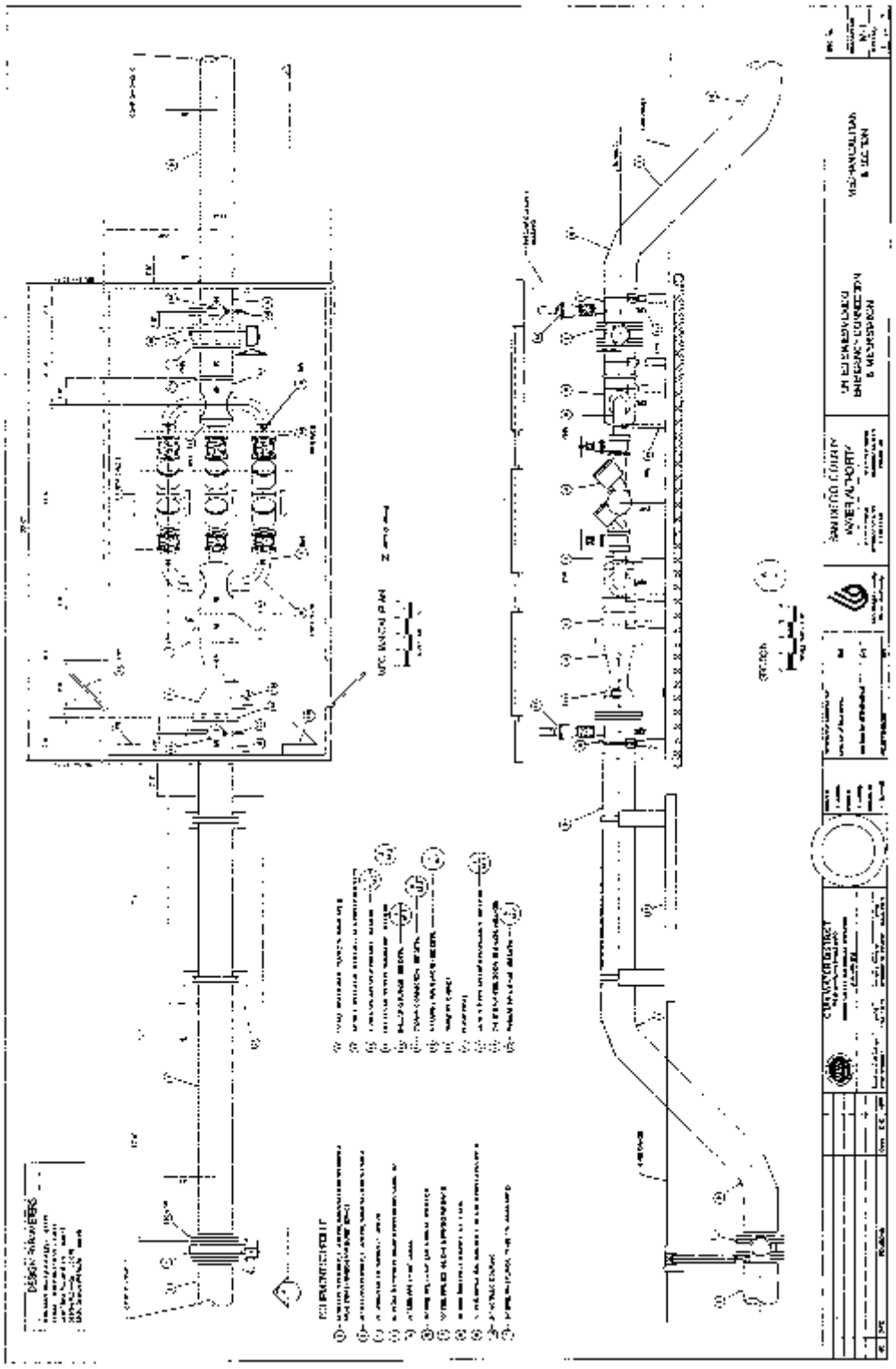
(8) International agreement terms will be considered for the Government of Mexico to provide reimbursement for diversion and deliveries through transfer of electric energy to the United States through existing interconnections along the Baja California and California border area.

The final conveyance point to Mexico requires use of an existing approximately 80 feet (24.4 m) of 14-inch (36 cm) line and up to 120 feet of 24-inch (61 cm) line in an OWD easement at the border fence **(Photographs 2 and 3**) that will be replaced with a 24-inch (61 cm) line at the request of Mexico and at Mexico's cost. This improvement facilitates the City of Tijuana's peak demand of approximately 4.0 m^3/sec (91 mgd) for the Comision Estatal de Servicios Pubilico de Tijuana's (CESPT) system. **Photograph 4** shows the surrounding area of the line. The final conveyance point to Mexico requires the replacement of an 80-foot long segment of existing 14-inch pipeline that was initially installed as a temporary emergency measure. Up to 120 feet of deteriorated 24-inch pipeline will also be replaced. Therefore, a maximum of approximately 200 linear feet of pipeline will be replaced, between the OWD meter to the international border, with 24-inch pipeline consistent with the remainder of OWD pipelines in the Otay Mesa area. The upgrade in diameter that will occur through the replacement of 14-inch diameter section of pipeline will require the installation of a meter vault and bypass that will also include backflow prevention and a small (less than 1,000 square foot) concrete security building or fence. All pipeline and meter vault construction, as well as completed facilities, will be located within the existing 30-foot wide OWD easement, which is accessible by existing roads, on the site. **Drawing 2** shows these structures and **Drawing 3** roughly illustrates the area and layout of these structures and shows the replacement pipe with associated trenching. The surface area of the above ground structures will be approximately 260 ft^2 (24 m^2) and the area of the temporary land disturbance (i.e., construction) will be about 3050 ft^2 (283 m^2).

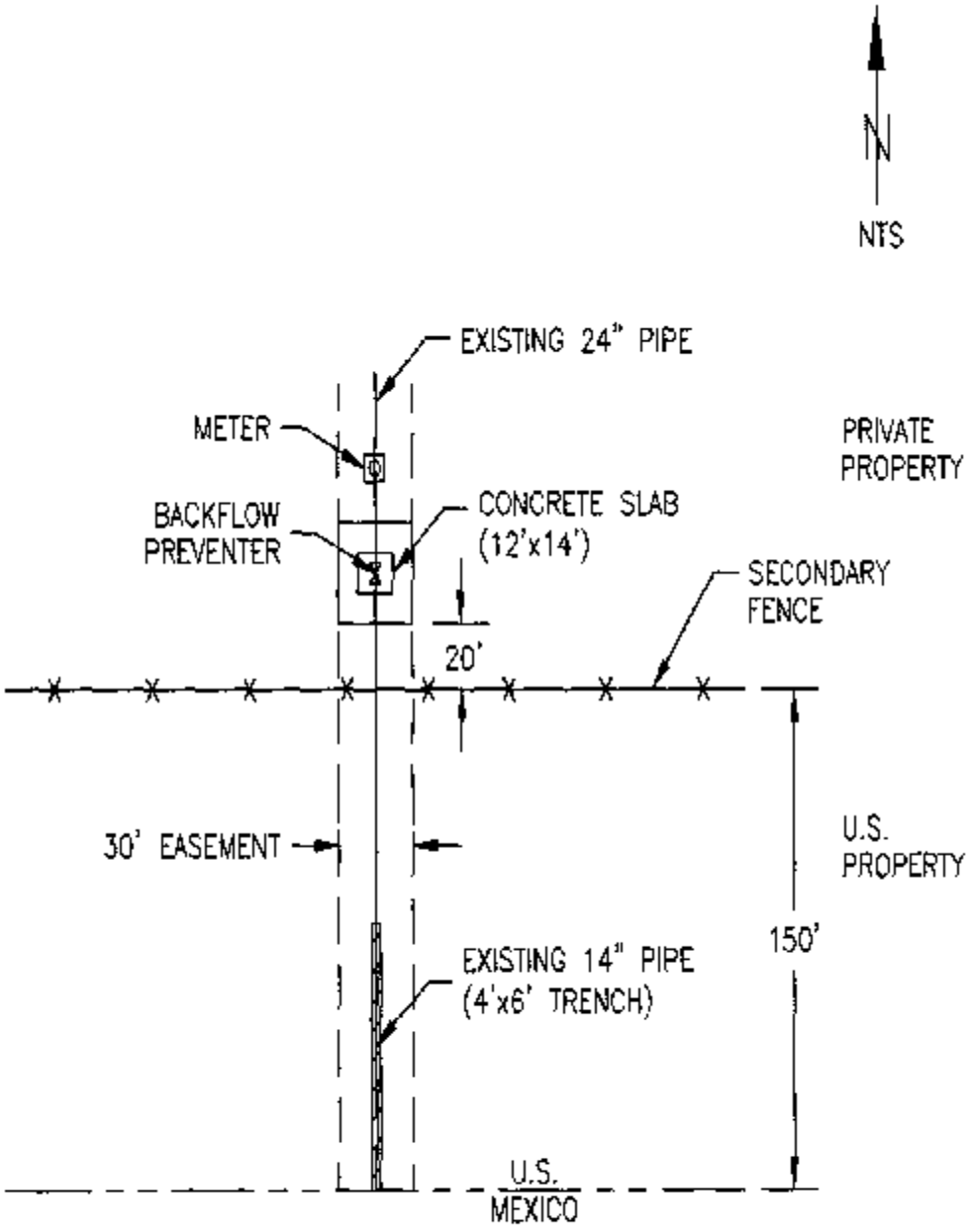


Photograph 2. Pipe replacement site at emergency connection. (San Diego County Water Authority, 1999)

Photograph 3. United States - Mexico Emergency Water Deliveries Connection. Area of pipe replacement site at emergency connection (Source: SDCWA, 1999)



Drawing 2. Backflow preventer, vault and meter planned at emergency connection site.



SAN DIEGO / TIJUANA

EMERGENCY CONNECTION FACILITIES

Drawing 3. Rough illustration of area and layout of structures. Shows replacement pipe with associated trenching at emergency connection.

B. No Action

In absence of other arrangements to deliver water to Tijuana on an emergency basis, the City of Tijuana could experience a water supply shortage lasting upwards of several days leaving a large number of its approximately one million inhabitants temporarily without water supply. This could result in a serious adverse economic impact on the City of Tijuana resulting from a decrease in tourism. Further, there could be the public health risk of illnesses attributed to water shortages which could have an impact on communities on both sides of the international boundary.

V. Environment of the Area

A. Connecting Facilities

The emergency connecting line is at the international boundary near Qtay Mesa, San Diego, approximately 6.3 miles (10.1 km) east of the San Ysidro port-of-entry and generally perpendicular to the United States/Mexico boundary. Elevation at the connection crossing is approximately 500 feet (152 m) above mean sea level. The area is in the peninsular range province (U.S. Army Corps of Engineers. 1999). The emergency connection is located in a low area between gentle slopes.

The available capacity in the line is approximately 1,280 acre-feet per month (1,579,520 m^3). It is subject to delivery of only that amount that is available for delivery from the excess capacity of the Southern California aqueduct system.

B. Otay Mesa

Otay Mesa, where the emergency connection site is located, is bound on the south by the international boundary and the Otay River on the north. The mesa is generally flat to slightly rolling, with the exception being the canyon areas to the north and westerly edges of the mesa. The mesa to the east is bound by the San Ysidro mountains. Traditional irrigated agricultural land use in the 1970's has been rapidly replaced by development of industrial parks, particularly since the opening of the Otay Mesa port-of-entry in January 1985.

C. Southern California Aqueducts

Conveyance will be by means of aqueducts owned and operated by the Metropolitan Water District (MWD) and the San Diego County Water Authority (SDCWA). Colorado River waters are diverted into MWD's Colorado River Aqueduct at Lake Havasu for delivery to SDCWA pipelines in northern San Diego County. SDCWA will deliver the water to OWD near the international boundary. Actual emergency water deliveries to Mexico from Southern California will be through pipelines and other facilities belonging to the OWD. No additions or changes to the MWD or SDCWA facilities would be required in order to transport emergency deliveries to Mexico. OWD will replace or reconstruct up to 200 feet of deteriorated 24-inch diameter pipeline to accommodate the delivery.

D. Colorado River Water

Under the 1944 Water Treaty, Mexico is allotted a guaranteed annual quantity of 1.5 million acre-feet (1,850 million m^3) of water to be delivered under terms and conditions established in that treaty including a requirement for Mexico to provide a schedule of deliveries. The schedule is provided to the U.S. Bureau of Reclamation through the IBWC, and in turn that agency arranges for those deliveries at the Northerly International Boundary (NIB) near Yuma, AZ and near the Southerly International Boundary (SIB) in the San Luis, Rio Colorado, and San Luis, Sonora area.

The United States by virtue of IBWC Minute No. 242 (IBWC. 1973) delivers approximately 1.36 million acre-feet (1,678 million m^3) of those waters at the NIB with an annual salinity content not greater than 115 +/- parts per million over the salinity in the Colorado River waters arriving at the last major United States diversion point at Imperial Dam, approximately 35 miles (56.3 km) north of Yuma.

The proposed diversion and delivery of Mexico's Colorado River water allotment could be up to a maximum of approximately 15,000 acre-feet per year. This is based on the capacity of the delivery works.

By virtue of IBWC Minute No. 240 (IBWC. 1972), the United States and Mexico agreed to the emergency deliveries of a portion of those waters for use in Tijuana at a point near the international boundary. That agreement and amendments thereto expired in 1982 and the Minute No. 287 (IBWC. 1992) agreements expired in 1992. The proposed action scale is larger than the past.

E. City of Tijuana

1. General

The City of Tijuana lies immediately south of the City of San Diego, California. Population is concentrated mainly in the narrow valleys and the coastal plain. The central older section of Tijuana adjacent to the Tijuana River was redeveloped in the 1970*s as a result of the channelization of the Tijuana River as part of an international flood control project. The population of Tijuana continues to increase with rapid migration from several areas in Mexico. Tourism is an important part of its economy. Vehicle and pedestrian traffic to and from the United States in this area is funneled through the port of entry at San Ysidro near the ocean and the Otay Mesa port-of-entry. About 71,000 persons a day enter the United States through the San Ysidro port-of-entry and another approximately 11,000 persons a day enter through the Otay port-of-entry. A similar number return to Mexico, resulting in an estimated 60 million crossings by both ways in a year (General Service Administration. 1992).

2. Water Supply and Distribution

The population of Tijuana increased to approximately 1.3 million in 2000 from about 464,000 in 1972. Tijuana had a water requirement of approximately 41,000 acre-feet (51 million m^3) per year, when emergency deliveries began to cover a water shortage of 13,000 acre-feet (16 million m^3) per year. The Government of Mexico, beginning in 1981, placed into operation its Colorado River to Tijuana aqueduct with a capacity of 3,450 lps (79 mgd). In 1992, the aqueduct supplied 2,100 lps (48 mgd) and wells supplied 100 lps (2.3 mgd) covering the demand for the City of Tijuana. Presently, the entire supply for the region is from the aqueduct [capacity is approximately 3,600 lps (82 mgd)].

Average demands within CESPT service area are approximately 3,000 lps (68 mgd). Peak demands in the summer can reach 4,000 lps (91 mgd) which they are currently unable to meet during peak summer demand periods. The Government of Mexico is exploring various sources, including desalting of sea water and adding another aqueduct line to meet a demand

in 2010 of 5,000 lps (114 mgd).

Beginning in 1988, the Government of Mexico undertook a rehabilitation of its water supply system. Under this project, the Colorado river aqueduct water is treated at the El Florido plant before incorporation into the distribution network. The water supply system from Rodriguez Reservoir has a capacity of 300 lps (6.9 mgd), but is unreliable since it depends on rainwater into the reservoir. This reservoir is for all practical purposes empty at this time because approximately 10 million m^3 (8,100 acre-feet) remains.

The water distribution system was rehabilitated as two storage tanks and 11 interconnecting main lines, which feed into 10 central tanks. Under the rehabilitation, the 45 smaller pumping stations were replaced with three booster pumping stations. In addition, smaller distribution lines were constructed to increase the city*s coverage from 49% in 1985 to 80% in 1992. Also, Mexico undertook measures to reduce the volume of unmetered water from 35% in 1988 to 25% in 1995.

3. Wastewater

The Government of Mexico, parallel to the water supply project, undertook the rehabilitation and expansion of its wastewater collection system. The major collection components near the international boundary and the first stage treatment facilities for Tijuana sewage through 1995 are incorporated in IBWC Minute No. 270 of April 1, 1985 (IBWC. 1985). These consist of collectors along the Tijuana River to convey a portion of the 1,100 lps (25 mgd) stage I flows to a pumping station near the border. These discharges and those along canyon and coastal areas are then conveyed by pressure lines and open canals to a treatment plant located 4.8 miles south of the boundary. The treated effluent is discharged one mile further south into the ocean. For the second stage of disposal of Tijuana sanitary wastewaters, the United States and Mexico, by virtue of IBWC Minute No. 283 of July 2, 1990 (IBWC. 1990) agreed to the construction, immediately north of the boundary in the United States, of an international wastewater treatment plant with Mexican participation to handle the second stage discharges of Tijuana sewage estimated in 1990 to be at least 1,100 lps (25 mgd). The plant will provide secondary treatment and ocean outfall disposal.

The Parallel line is essentially complete, but the second component, rehabilitation of the Mexican Treatment Plant, is just under call for bids and

is approximately two years from construction. Minute No. 298 of December 2, 1997 (IBWC. 1997) describes the wastewater project. Minute No. 298 extends the Minute No. 270 (IBWC. 1985) transboundary pollution safeguards to the Parallel line and treatment plant.

Mexico is examining alternatives for handling wastewater in excess of the combined 2,200 lps (50 mgd) treatment. Mexico will continue its sanitation measures to guard against beach contamination in the San Diego/Tijuana area.

F. Biological Resources

See **photograph 4** of January 2000 for an aerial view of the existing environment. The lands around the emergency connection is greatly disturbed due to agricultural production, travel through the area and urban development.

The predominant vegetation type prior to agriculture and more recently, was grassland. Characteristic species of this community include 11 goldentop (*Lamarckla aurea*), soft chess (*Bromus mollis*), Bermuda grass (*Cynodon dactylon*), and slender wild oat (*Avena barbata*), and some of these species may be present. Non-native, invasive species that might be associated with this habitat include Russian-thistle (*Salola* sp.), yellow sweetclover (*Melilotus indicus*), wild mustard (*Brassica campestris*), and star-thistle (*Centaurea melitensis*)(U.S. Immigration and Naturalization Service. 1990).

Vernal pools are natural habitats of the region (Zedler.1987) and vernal pool morphology occurs within the project area, but not on the project site. On the southern terraces, the pools are in claypan substrates (Otay Mesa) or occur in both cemented hardpan and claypan substrates (Kearny Mesa)(Zedler.1987). No vernal pools have been observed at the project site, nor are they expected to occur. A list of Federally Endangered, Threatened, Candidate and Proposed Species which may be found in the general vicinity of the proposed emergency connection site are in **Appendix A**.

No Federally listed endangered or threatened species are known to occur on the project emergency connection site, based on the biological resources survey, provided in **Appendix B**, conducted by RECON, Inc. on July 14, 2000. The emergency connection site is located near the international boundary north of the secondary fence on private property in the Otay ROW. The site contains disturbed vegetation and the area is developed roads. No significant biological resources were observed on the site or roads. There are no ephemeral pools on

Photograph 4. Aerial view of the existing environment at emergency connection. Date: January 4, 2000. Scale: 1" = 120' (Source: RECON, Inc.)(Taken From: Landiscor Aerial Information).

the emergency connection site.

Regarding the deliveries from the Colorado River, any change in conditions on the biological resources of the Colorado River as a result of proposed diversion and deliveries of up to 15,000 acre-feet per year is insignificant over the five year life of the proposed action relative to the existing conditions. No impacts to sensitive Colorado River faunal species are expected due to the emergency water deliveries.

The United States Section will conclude biological resources coordination with the U.S. Fish and Wildlife Service by letter with this mailing of the EA. Otay completed a CEQA exemption with San Diego County Recorders Office, filed on August 30, 2000 (See **Appendix F**) for minor facilities improvements.

Appendix C consists of an Application for a U.S. Army Corps of Engineers Permit. This is provided for information only in order to provides specific details not included in this EA on the emergency connection site. The Application is for coordination only because Section 404 of the Clean Water Act is not applicable.

G. Archaeological, Historical and Other Cultural Resources

The area of the emergency connection near the international boundary was previously surveyed for archaeological sites and several of these were located in the Otay area. (Schilz. 1989). None of these are close enough to the emergency connection to be disturbed by the past operation and maintenance activities at the connection.

In September 1996 an EA was prepared for 25 miles of road and ranch rights of way on Otay Mountain from Otay Mesa to Dog House Junction. Of the 11 sites identified by a records search and intensive field survey, 10 were determined to be of unknown eligibility and one was determined to be eligible for inclusion in the National Register of Historic Places (NRHP)(U.S. Army Corps of Engineers. 1999).

A literature search and standard cultural resources survey of the area of the emergency connection site was conducted by RECON, Inc. (See **Appendix D**). The survey was performed on July 14, 2000, for the presence/absence of cultural resources. No cultural resources were located in the area of potential effects (APE). There are no resources listed in the NRHP which may be found at the emergency connection site.

The United States Section requests concurrence from the SHPO by letter with

this EA mailing under the NHPA expedited consultation under 36 CFR part 800.3(g) on the Section's determination under 36 CFR part 800.4(d)(1) that there would be no historic properties affected. The U.S. Section requests by letter with this EA mailing Native American Tribal involvement.

H. Water Resources

The water quality in the project area is generally considered poor due to urban run-off and fugitive sewage flows from the City of Tijuana. Regional groundwater quality is low because of high chlorine and sodium levels (U. S. Army Corps of Engineers. 1997).

There are no water quality concerns associated with the proposed action. **Appendix E** consists of a Water Quality Certification Application, provided for information only in order to give specific details not included in this EA on the emergency connection site. The Application is for coordination only because Section 401 of the Clean Water Act is not applicable. Otay filed a Notice of Exemption (**Appendix F**) August 30, 2000 for improvements to minor facilities.

The demand on the water supply of the Otay will increase from the proposed project. The system has excess capacity of 0.7 m^3/sec (16 mgd), however, it will only be able to provide 0.3 m^3/sec (7 mgd) to 0.6 m^3/sec (14 mgd) due to existing commitments for excess capacity. This rate of flow will decrease over time as the demands grow.

I. Air Quality Resources

The proposed emergency water deliveries pumps and emergency connection site along the international boundary lie within the San Diego Air Basin. The three pumps run on natural gas. An increase in use will be required for the emergency deliveries.

A detailed air quality analysis on OWD's proposed increase in pump usage was performed to determine compliance with *de minimus* air quality standards for criteria pollutants. Preliminary coordination was conducted by telephone on July 18, 2000 by the United States Section with an Air Pollution Control Officer of the San Diego Air Pollution Control District regarding OWD's intent regarding the permitting of engines needed to drive the pump.

The detailed air quality analysis indicated project-related pollutant will be at the threshold for some of the criteria pollutants. The proposed action will be in compliance with San Diego Air Pollution Control District (APCD) Rules and Regulations. The overall air emissions impacts will be consistent with applicable ambient air quality standards. An application (See **Appendix F**) was submitted by the OWD to the APCD in May 2000 for a permit to increase operation of the three natural gas engines that will be required to deliver the water to Mexico. Staff plans to purchase specific equipment to continue the District's practice of equipment standardization and to obtain the best, proven engine and air pollution control technology.

The APCD adopted revisions to Rule 69.4.1 in November 2000, six months after submittal of the original permit application to APCD, which has mandated revisions to the original permit application. The revisions to APCD Rule 69.4.1 implement more stringent California state-mandated Best Available Retrofit Control Technology (BARCT) requirements to further reduce nitrogen oxide (NOx) emissions in San Diego County. These emission standards will take full effect in 2002. OWD has determined that retrofitting existing engines to meet the new emission guidelines and deliver the water to Mexico, as originally planned, will be cost prohibitive. Therefore, OWD will purchase new engines with Best Available Control Technology (BACT)(i.e., with new Caterpillar engines and NSCR and NOx emissions controls) that will more reliably and cost-effectively meet these new emission standards. OWD has committed to purchasing equipment that is the best, proven technology for accomplishing OWD purposes that will meet APCD requirements.

OWD is currently in the process of revising the permit applications and purchasing the necessary engines and BACT in order to deliver the water to Mexico. Due to the timing of the APCD mandate relative to Rule 69.4.1, and the date when water will need to be delivered to Mexico, both of which were beyond OWD's control, OWD will be required to obtain a variance from APCD in order to operate the existing engines without BARCT until the new engines with BACT are installed, tested and permitted. OWD will off-set or otherwise mitigate the emissions allowed during the APCD variance consistent with the terms and conditions of the variance as well as existing APCD rules and regulations.

Based on the conformity determination made under 40 Code of Federal Regulations (CFR) Part 51.858, the Federal action will be in conformity with the specific requirements and the purposes of the California Ambient Air Quality Standards pursuant to the United States Section's affirmative obligation under Section 176(c) of the Clean Air Act in accordance with the requirements of 40 CFR, Ch. 1, Part 51, Subpart W. The Federal action will be in compliance with the Clean Air Act and California's compliance requirements for air quality resources.

J. Environmental Justice

None of the proposed action alternatives would temporarily or permanently displace local poor persons. There would be no change to the number of available jobs in the area of the proposed action.

K. Energy Resources

The Energy Policy Act of 1992 (P. L. 102-486) is a comprehensive program requiring implementation of efficient measures, such as technologies, which have a ten-year payback. The Energy Policy Act was considered in the proposed action.

The power requirements of MWD for the proposed diversion and deliveries of 15,000 acre-feet per year would be approximately 30,000 megawatt-hours per year. This figure is about one percent of the total power used by MWD for Colorado River Aqueduct diversions and deliveries.

The proposed action would consider energy management to use energy efficiently. It is possible for Mexico to provide a potential energy transfer for power.

The statewide energy system can not always meet the demand during peaks. Reliable power is essential for use during times of peak demand. The proposed action would use reliable, efficient, power.

Induced Growth

The population of Tijuana continues to increase. Peak summer water demand periods in Tijuana are not met. The Government of Mexico is exploring various sources to meet demands. None of the proposed action alternatives would temporarily or permanently result in induced growth or change the socioeconomics in Tijuana.

VI. Environmental Consequences

A. Proposed Action Alternative

The proposed action would have the overall benefit of acceding to the request of a neighboring country to deliver water at relatively little inconvenience to the United States in order to prevent public health and economic problems that could impact both the United States and Mexico. There would be no modifications to the Southern California aqueduct system facilities and, therefore, no added local environmental impact can be expected from use of these facilities.

The capacity for water deliveries to Tijuana over that of previous emergency deliveries arrangements would not increase and, in fact, would be limited to only what the Southern California agencies determine can be delivered to Tijuana in the time frame agreed by those agencies.

The environmental consequences will:

(1) not significantly affect sewage discharges into the Tijuana River or the Pacific Ocean since the deliveries of water will be only during times of peak demand during the summer/fall months or when Mexico's aqueduct is out of service. In the event that there is a breakdown in the Tijuana system, then, although proposed deliveries could occur year-round and allow water to be placed in storage, the environmental consequences would be insignificant;

(2) not affect the quantity of water allocated to each country under the 1944 Water Treaty;

(3) not affect the water flow of the Colorado River downstream of Parker Dam, power generation loss and salinity differential impact, since the annual volume of up to 15,000 acre-feet of water diversion at Parker Dam for a duration of five years in comparison to the total annual diversion of 1.5 million acre feet to Mexico is insignificant, and also due to the existing day-to-day variability in Colorado River flow;

(4) take into account an adjustment in the salinity of the waters of the Colorado River delivered to Mexico under the provisions of Minute No. 242 for solution of the Colorado River salinity problem;

(5) require very minor use of labor resources and existing facilities, but Mexico would compensate agencies in the United States for these costs;

(6) result in no adverse impacts to Federally-listed species or their habitat from proposed Colorado River water diversion and deliveries and improvements at the border connection site;

(7) be no long-term cumulative impacts to the biological resources of the Colorado River from the proposed action;

(8) not effect the state-wide energy system since the proposed demand is insignificant compared to the energy system and because of potential energy transfer by Mexico;

(9) not result in short or long-term growth inducement;

(10) be a small (approximately 20%) percentage of Tijuana's water demand and water deliveries would be for short-term emergency conditions to alleviate current water shortages;

(11) benefit a neighboring country's request to deliver water to prevent public health and economic problems that could impact both countries;

(12) not affect historic properties because there are no historical, archaeological or other cultural resources identified in the area of potential effects (APE) at the emergency connection site. Concurrence on a "no historic properties affected" determination by the SHPO is being requested by the United States Section at the time of this EA mailing;

(13) not affect air quality resources. The APCD adopted revisions to Rule 69.4.1 in November 2000, which has mandated revisions to the original permit application. This is due to the fact that the revisions to APCD Rule 69.4.1 will implement more stringent California state-mandated BARCT requirements in order to further reduce NOx emissions in San Diego County. These emission standards will take full effect in 2002. OWD has determined that retrofitting the existing engines to meet the new emission guidelines and deliver the water to Mexico, as originally planned, will be cost prohibitive. Therefore, OWD will purchase new engines with BACT that will more reliably and cost-effectively meet the new emission standards. OWD is currently in the process of revising the permit applications and purchasing the necessary engines and BACT in order to deliver the water to Mexico. Due to the timing of the APCD mandate relative to Rule 69.4.1, and the date when water will need to be delivered to Mexico, bot of which were beyond OWD's control, OWD will be required to obtain a variance from APCD in order to operate the existing engines without BARCT until the new engines with BACT are installed, tested, and permitted.

OWD will off-set or otherwise mitigate the emissions allowed during the APCD variance consistent with the terms and conditions of the variance as well as existing APCD rules and regulations. The environmental consequences will comply with APCD Rules and Regulations relative to permitting and emissions. Based on the conformity determination made under 40 Code of Federal Regulations (CFR) Part 51.858 using analytical methods, the Federal action will be in conformity with the specific requirements and the purposes of the California Ambient Air Qaulity Standards pursuant to the United States Section's affirmative obligation under Section 176(c) of the Clean Air Act in accordance with the requirements of 40 CFR, Chapter 1, Part 51, Subpart W. The Federal action will be in compliance with the Clean Air Act and California's compliance requirements for air quality;

(14) will be coordinated as follows: CEQA coordination addressed resources of concern under OWD's jurisdiction at the final conveyance point to Tijuana, which are the emergency connection site improvements between the two border fences in their ROW. Also under OWD's jurisdiction is the site immediately north of the secondary fence in their ROW consisting of U.S. Border Patrol developed roads and private property. OWD's coordination effort on site and engine improvements is being completed concurrent to United States Section's NEPA and CEQA compliance requirements and coordination for implementation of international arrangements for project actions under the terms and conditions of the IBWC Minute. Though OWD completed a Categorical Exclusion under CEQA for the project in August 2000, the exemption only covers the installation of OWD facilities that would facilitate the emergency water delivery. The impacts resulting from the emergency water delivery were not covered by OWD. The SDCWA, consistent with CEQA Section 15221, will act as the CEQA lead agency for the overall project b adopting the EA/FONSI as a Negative Declaration. The SDCWA will publish a Notice of Intent to Adopt the EA/FONSI as a Negative Declaration consistent with CEQA Sections 15072 and 15225. Supporting documentation necessary for this action to occur, will be provided by the SDCWA consistent with CEQA. Upon completion of the public review period and the completion of the FONSI by the USIBWC, the SDCWA Board will adopt the EA/FONSI as a Negative Declaration for the project, consistent with the sections noted within the CEQA Guidelines. This will complete CEQA compliance for the project.

(15) not result in long-term cumulative impacts to the resources in the United States. The proposed activity is for a maximum five year duration and is a short-term emergency action.

B. No Action Alternative

In absence of other international arrangements to implement deliver waters to Tijuana on an emergency basis, the City of Tijuana would suffer a water supply shortage for several days leaving a large number of its approximately 1.3 million inhabitants temporarily without water supply. This could result in a serious adverse economic impact on the City of Tijuana resulting from a decrease in tourism. Further, there would be the public health risk of illnesses attributed to water shortages which could have an impact on communities on both sides of the international boundary.

VII. Coordination

Correspondence on recent coordination are found in **Appendices F and G**. Letters of coordination were sent to the agencies and public listed in **Appendix G**. The letterhead copies of the coordination letters will be in the final EA in **Appendix G**. The United States Section has contacted and received letters of support from the U.S. Bureau of Reclamation (USBOR. 2000), MWD (MWD. 2000) and San Diego County Water Authority (SDCWA. 1999) on their views on the conditions for the proposed action of implementation of international emergency water deliveries. In one past consultation, the U.S. Commissioner (IBWC. 1992) explored the possibility in order to meet Mexico*s most immediate needs for deliveries in October 1992 and the agencies confirmed their advice of 1989 and provided conditions under which they were willing and able to make the emergency deliveries to Tijuana, Mexico.

The United States Section maintained coordination with the SDCWA, the MWD, the USBOR, the Otay, and the City of San Diego on consideration of emergency water deliveries to Tijuana on a standby basis in 1989 and 1990 (United States Section, IBWC. 1989). The SDCWA (SDCWA. 1990), MWD (MWD. 1989), USBOR (USBOR. 1989) and San Diego County(San Diego County. 1989) provided their preliminary views on conditions that might permit them to resume emergency deliveries to Tijuana on a stand by basis.

VIII. Finding and Recommendation

The finding of this assessment is the proposed action does not constitute a major federal action causing a significant local, regional, or national adverse impact to the environment.

The overall beneficial impact of the United States is meeting the request of a neighboring country to delivery emergency water. The proposed action would prevent

adverse economic and health impacts that could be felt on both sides of the international boundary at little inconvenience to the United States or the agencies supplying that water. Any maintenance work would be relatively minor and have no significant impact on the local area.

Compliance with APCD rules and regulations will occur with implementation of the proposed best available control technology and air permit and variance stipulations. No significant air quality impacts will result. The Federal action will be in compliance with the Clean Air Act and California's compliance requirements for air quality resources.

None of the alternatives would significantly encounter or disturb the resources consisting of connecting facilities, Otay Mesa, Southern California Aqueducts, Colorado River water, City of Tijuana including water supply and distribution and wastewater, biological including Federally threatened or endangered species or habitats, archaeological, historical and other cultural resources, water, air quality, environmental justice, energy, and induced growth. None of the alternatives would cause permanent detrimental effect to the resources.

It is recommended that a Draft Finding of No Significant Impact (FONSI) be adopted and no Environmental Impact Statement be prepared. The Draft FONSI is included in this draft EA.

For further information contact: International Boundary and Water Commission United States Section, Ms. Sylvia A. Waggoner, Division Engineer, Environmental Management Division, 4171 N. Mesa, C-310, El Paso, TX 79902-1441.

IX. List of Preparers

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Appendix A

Draft Federally Endangered, Threatened, Candidate and Proposed Species List for the Otay Mesa Border Fence Zone

Draft Federally Endangered, Threatened, Candidate and Proposed Species List for the Otay Mesa Border Fence Zone

Compiled in July 2000 by United States Section from Various Sources

Common Name	Scientific Name	Status
Listed Species		
Amphibians		
Southwestern arroyo toad	*Bufo microscaphus californicus*	E
Birds		
Southwestern willow flycatcher	*Empidonax traillii extimus*	E,PCH
Least Bell's vireo	*Vireo bellii pusillus*	E,CH
Coastal California gnatcatcher	*Polioptila californica californica*	T
Crustaceans		
Riverside fairy shrimp	*Streptocephalus woottoni*	E
San Diego fairy shrimp	*Branchinecta sandiegonensis*	E
Insects		
Quino checkerspot butterfly	*Euphydryas editha quino*	E
Plants		
San Diego button-celery	*Eryngium aristulatum var. parishii*	E
California orcutt grass	*Orcuttia californica*	E
Otay mesa mint	*Pogogyne nudiuscula*	E
Mexican flannelbush	*Fremontodendron mexicanum*	E
Nevin's barberry	*Berberis nevinii*	E
Otay tarplant	*Hemizonia conjugens*	T
San Bernardino blue grass	*Poa atropurpurea*	E
San Diego mesa mint	*Pogogyne abramsii*	E
San Diego thorn-mint	*Acanthomintha ilcifolia*	T
Spreading navarretia	*Navarretia fossalis*	T
Thread-leaved brodoaea	*Brodiaea filifolia*	T
Proposed Species		
Birds		

Mountain plover	*Charadrius montanus*	PT
Crustaceans		
San Diego fairy shrimp	*Branchinecta sandiegensis*	PE
Plants		
Dehesa nolina	*Nolina inerrata*	PT

E = Endangered
T = Threatened
PE = Proposed Endangered
PT = Proposed Threatened
CH = Critical Habitat Designated
PCH = Critical Habitat Proposed

Source:

U.S. Army Corps of Engineers. 1999. Final Environmental Baseline Document in support of the Supplemental Programmatic Environmental Impact Statement for INS and JTF-6 Activities. Volume 5, California Land Border Study Area. USACE, Fort Worth District. Table 33, pp. III-I-48 to III-50a. September 1999.

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Appendix B

Biological Report Prepared by RECON, Inc. for Otay Water District and United States Section

RECON

August 10, 2000

Mr. Mike Coleman
Environmental Specialist
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91977

Reference: Results of Biological Study on the Proposed Water to Mexico Site (RECON No. 3383B)

Dear Mr. Coleman:

RECON conducted a biological survey on the proposed Water to Mexico site. Included in this report of the biological findings are maps of the proposed project location and vegetation communities and photographs of the project area.

The entire 30-foot-by-150-foot area is either disturbed vegetation or developed into roads. No native vegetation or sensitive species were detected on the project site during the biological survey, and none are expected to occur.

Project Location

The Water to Mexico site is located just north of the international border with Mexico in San Diego County (Figure 1). It is directly south of the trajectory of Alta Road and crosses the Immigration and Naturalization Service Border Patrol road that runs along the border fence (Figure 2)

Biological Survey Methods

The site was surveyed by RECON biologist Jennifer Rudnkey on July 21, 2000, between 8:45 A.M. and 9:45 A.M. The vegetation communities were mapped and a list of floral species observed was recorded. Vegetation was mapped on a 1 inch = 120 foot color aerial photo flown January 4, 2000. A search for sensitive plants that would have been apparent at the time of the survey was conducted in conjunction with vegetation mapping.

Floral nomenclature for common plants follows Hickman (1993). Plant community classifications follow the City of San Diego (1998, 1999). Assessments of the sensitivity of species and habitats are based on City of San Diego (1998, 1999), San Diego Association of Governments (1997), Skinner and Pavlik (1994), State of California (1998a, 1998b, 1998c), U.S. Fish and Wildlife Service (1997), and Holland (1986).

Existing Conditions

Topography and Soils

The 4,500-square-foot site is on an elevation of approximately 490 feet above mean sea level. The soil type on the site is Salinas clay with 0 to 2 percent slopes (U.S. Department of Agriculture 1973). It is a moderately good draining soil that is formed from sediments of the Diablo, Linne, Las Flores, Huerhuero, and Olivenhain soils. The surface layer is clay with a clay loam substratum.

Botany

The entire 30-foot by 150-foot area is either disturbed vegetation or developed into roads. No native vegetation types are present within the project site. Figure 3 maps the distribution of the vegetation

1927 Fifth Avenue, Suite 203
San Diego, CA 92101-2150
619 / 308-9333
fax 308-9334

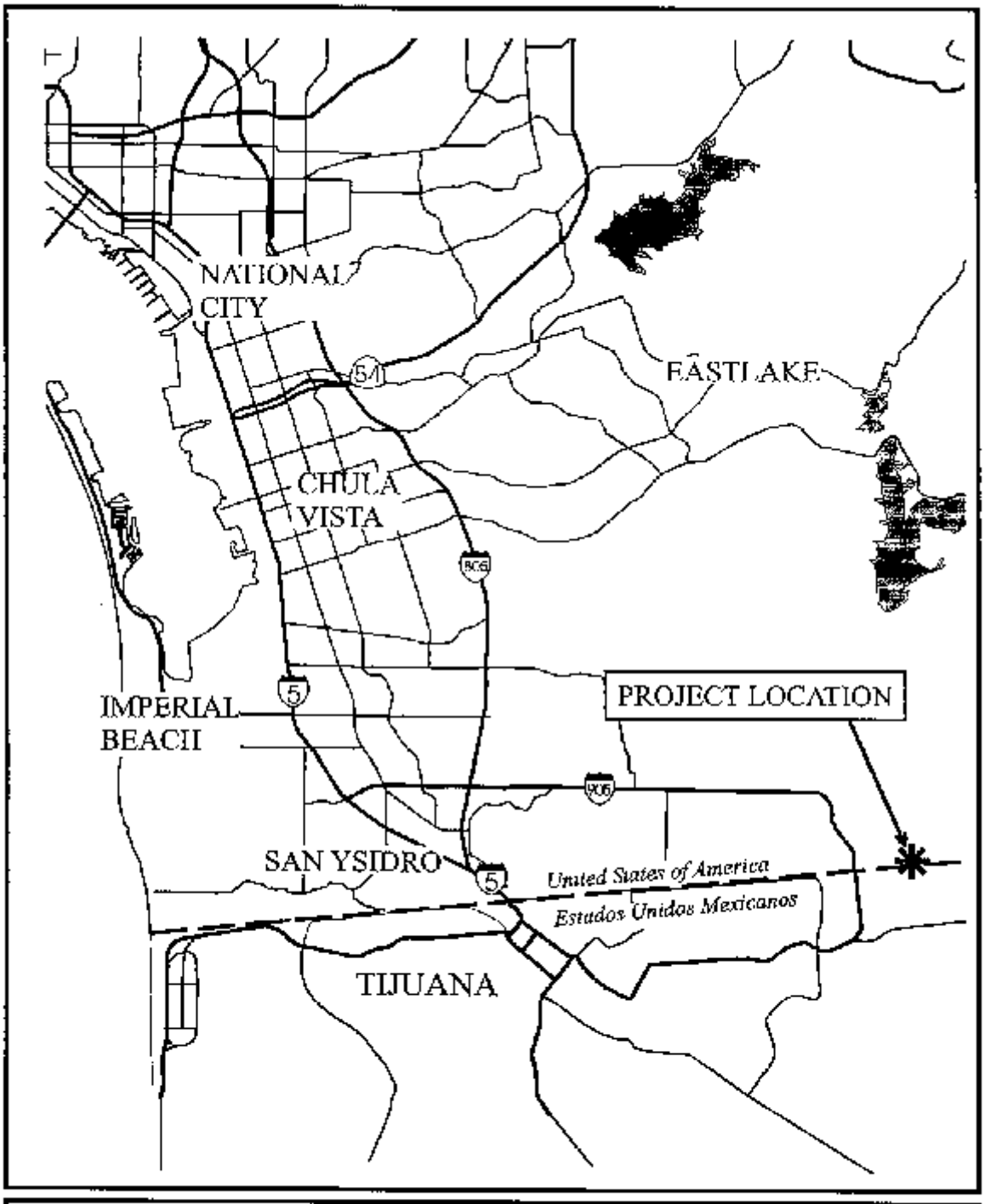
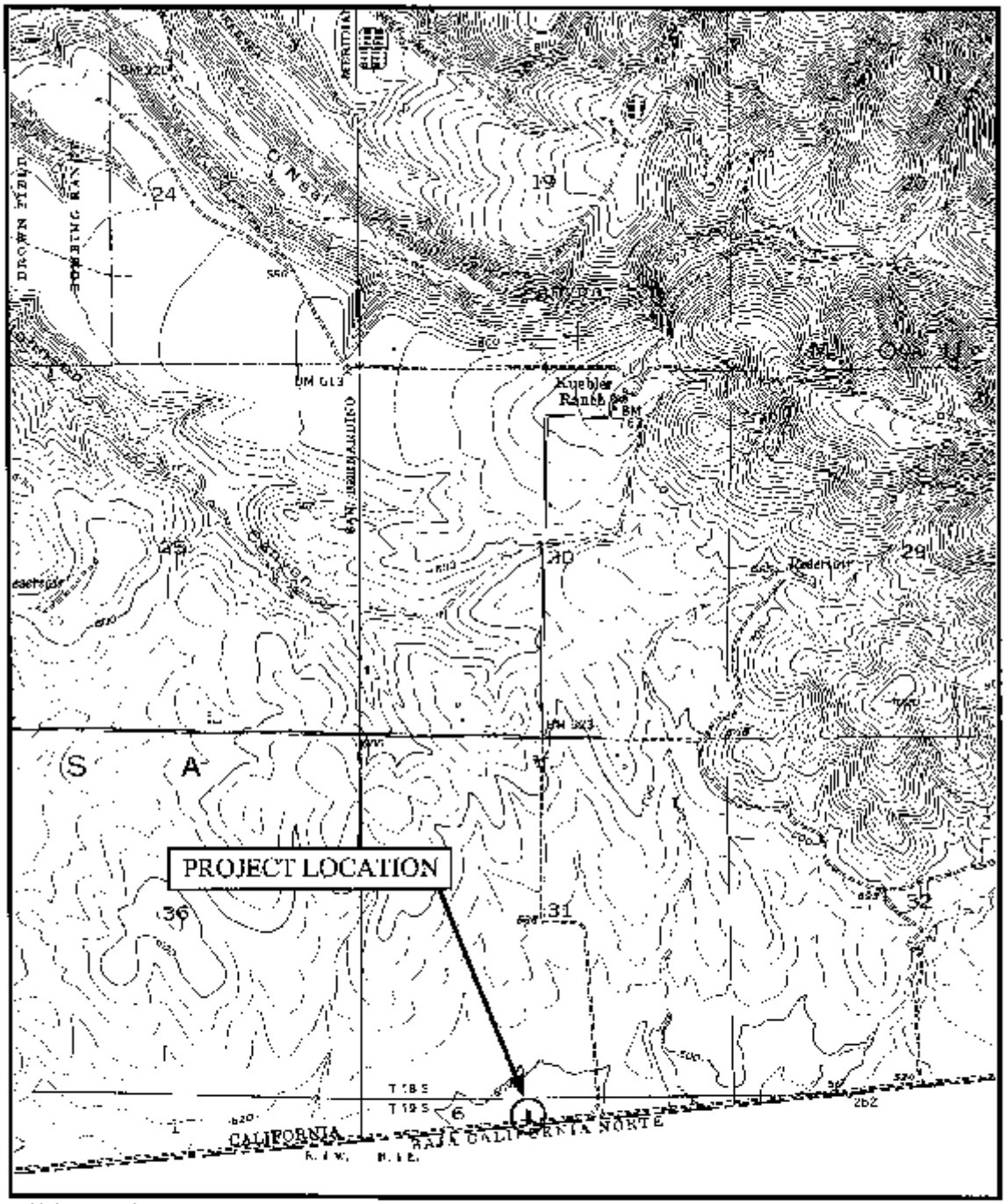


FIGURE 1
Regional Location of the Project



Map Source: U.S.G.S. 7.5 Minute topographic map, Otay Mesa quadrangle

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R-3333B

FIGURE 2

Project Vicinity

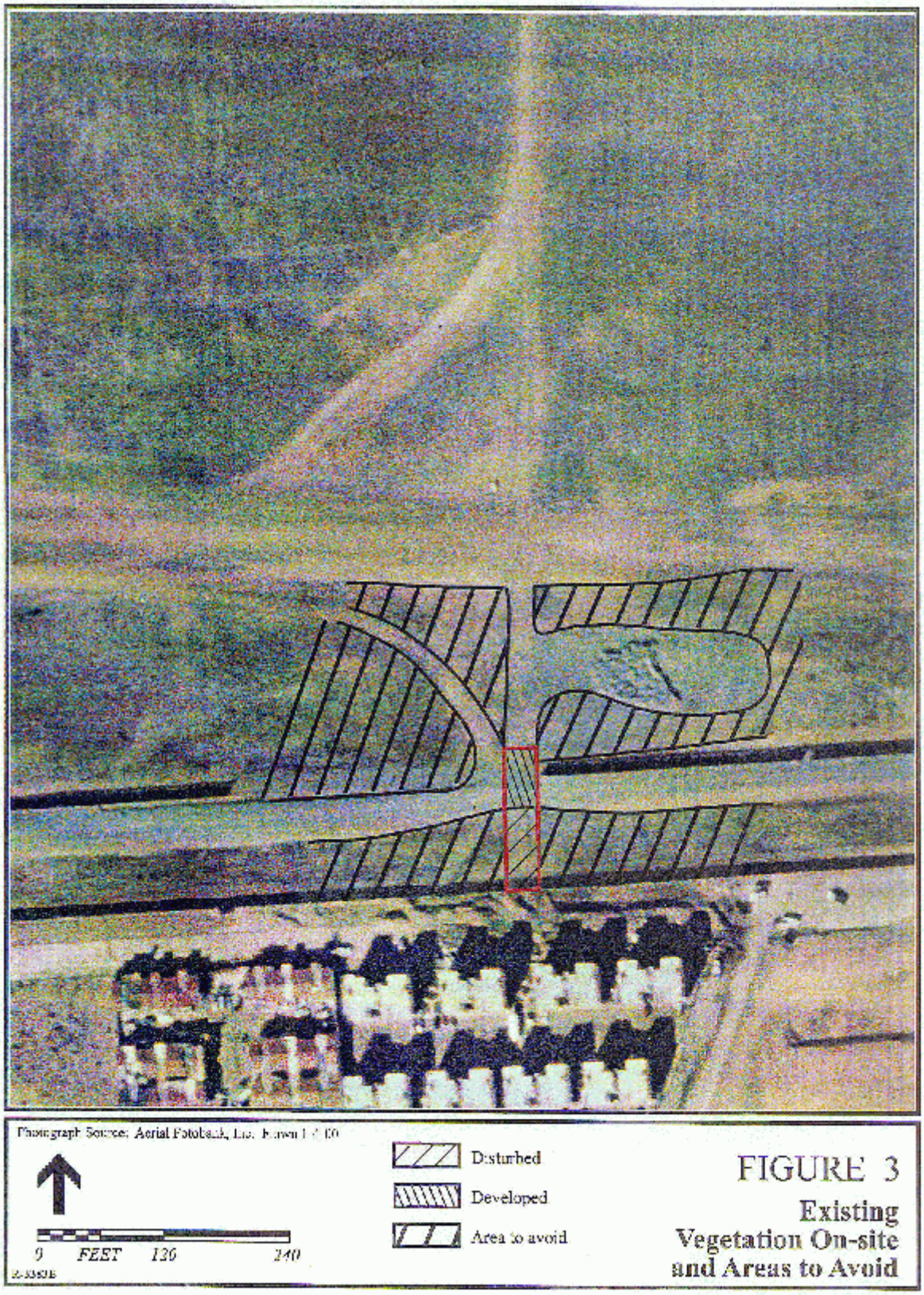


FIGURE 3

Existing Vegetation On-site and Areas to Avoid

on the site. The plant species identified on the site are listed in Table 1. Photographs 1 through 4 illustrate the character of the site.

TABLE 1
PLANT SPECIES OBSERVED

Scientific Name	Common Name	Origin
Anagallis arvensis L.	Scarlet pimpernel, poor man's weatherglass	I
Avena barbata Link	Slender wild oat	I
Brassica nigra (L.) Koch.	Black mustard	I
Chamomilla suaveolens (Pursh.) Rydb.	Pineapple weed, rayless chamomile	N
Lolium multiflorum Lam.	Italian ryegrass	I
Medicago sativa L.	Alfalfa	I
Polypogon monspeliensis (L.) Desf.	Annual beard grass	I
Rumex crispus L.	Curly dock	I
Salsola tragus L.	Russian thistle, tumbleweed	I
Xanthium strumarium L.	Cocklebur	N

N = native to locality, I = introduced.

Disturbed. The disturbed areas are located around the existing pipe along the border fence (Photographs 1 and 2). The area around the exposed pipe on-site has recently been disturbed, as there are signs of borming and earth moving. The area around the pipe is holding approximately one to two inches of water (see Photographs 1 and 2). The pipe has been covered with cut alfalfa (*Medicago sativa*). The dominant species growing in the vicinity include black mustard (*Brassica nigra*), slender wild oat (*Avena barbata*), Italian ryegrass (*Lolium multiflorum*), and Russian thistle (*Salsola tragus*). Few native species are present in the area, and they are species that are typically found in disturbed areas.

Developed. The developed areas on the project site are the roads that run east-west and north-south through the site (see Photographs 3 and 4). The roads are frequently used by the Border Patrol. The east-west road is gravel covered, while the north-south road is dirt. Neither road has any vegetation.

Zoology

No wildlife species were observed on the project site during the survey. Western meadowlark (*Sturnella neglecta*) and mourning dove (*Zenaida macroura marginella*) were detected near the project site. Both of these species are commonly found in grasslands and near urban and disturbed areas. No species are expected to occur within the project site during construction.

Sensitive Biological Resources

All species listed by state or federal agencies as rare, threatened, or endangered or proposed for listing are considered to be sensitive biological resources. The habitat that supports a listed species or a narrow endemic species is also a sensitive biological resource.

Assessments for the potential occurrence of sensitive species are based upon known ranges, habitat preferences for the species, species occurrence records from the California Natural Diversity Data Base, and species occurrence records from other sites in the vicinity of the project site.

Sensitive Plant Communities. No sensitive plant communities are present on the project site.

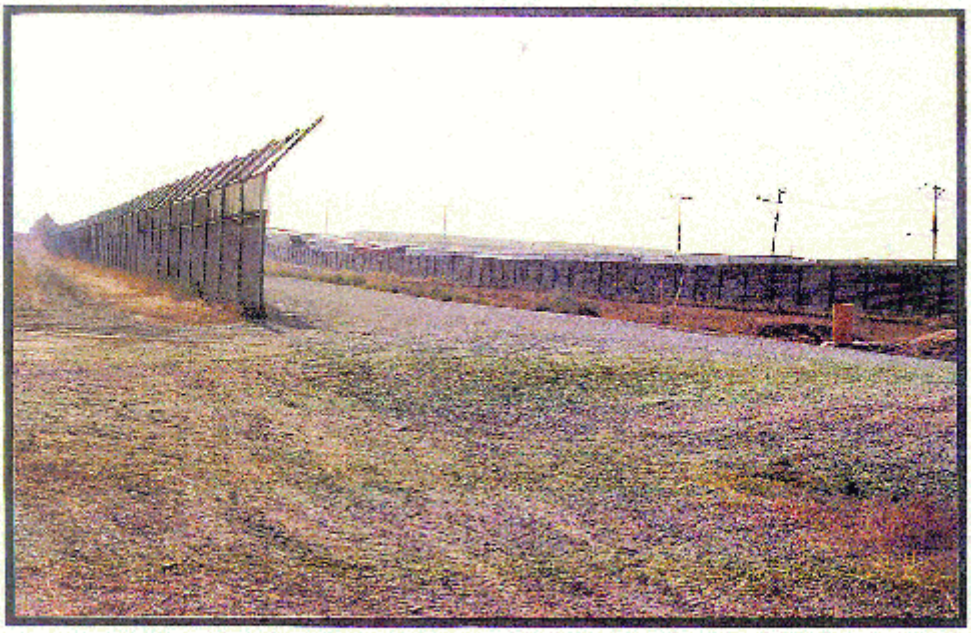
PHOTOGRAPH 1

View of Disturbed Vegetation On-site, South of Roads. Border Fence Seen on Background

PHOTOGRAPH 2

View Looking North of Both Disturbed and Developed Areas of Project Site

R-55650



PHOTOGRAPH 3

Looking Southeast at Developed Area on Project Site

PHOTOGRAPH 4

View Looking Southeast at Developed Area and Disturbed Vegetation On-site. Buildings in Background are in Mexico

Sensitive Plant Species. No sensitive plant species were located on the project site during the survey. No sensitive species are expected to occur on the project site.

Sensitive Animal Species. No sensitive wildlife species were observed on the site during surveys and none are expected to occur.

RECOMMENDATIONS

There are no sensitive habitats, plants, or wildlife species present on the project site, so any work within the 30-foot-by-150-foot project site will not impact any sensitive resources. There are depressions both north and south of the project site, however, that could potentially harbor the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*). Surveys for the fairy shrimp will not be necessary if impacts to these depressions are avoided. Any work activity that must occur outside of the project footprint should be restricted to the roads and other areas already devoid of vegetation. The areas to avoid are delineated in Figure 3. Staying outside of these areas will also avoid impacts to the nearby depressions.

If you have any questions about the results of this survey, please do not hesitate to contact me.

Sincerely,

Jennifer R. Radtkey
Biologist

JRR:llg

cc: Steve Fox, IBWC

References Cited

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1998a Special Animals. Natural Diversity Data Base. Department of Fish and Game. August.

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1998c Special Plants List. Natural Diversity Data Base. Department of Fish and Game. April.

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1997 Endangered and Threatened Wildlife and Plants: Review of Plant and Animal Taxa that are Candidates or Proposed for Listing as Endangered or Threatened; Annual Notice of Findings on Recycled Petitions; and Annual Description of Progress of Listing Actions. *Federal Register* 62(182), September 19. 50 CFR 17

Appendix C

Clean Water Act, Section 404 form, Wetlands Correspondence from the United States Section to the U.S. Army Corps of Engineers, Regulatory Branch

PROVIDED BY THE UNITED STATES SECTION FOR YOUR INFORMATION

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT **OMB APPROVAL NO. 0710-003**
(33 CFR 325) **Expires October 1996**

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate of any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting; navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.
One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see example drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS I THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. 2. FIELD OFFICE CODE 3. DATE RECEIVED 4. DATE APPLICATION COMPLETED

(ITEMS TO BE FILLED BY APPLICANT)

5. APPLICANTS NAME 8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)

Sylvia A. Waggoner, Division Engineer

6. APPLICANTS ADDRESS 9. AGENT'S ADDRESS

International Boundary and Water Commission, United States and Mexico, United States Section
4171 N Mesa, C-130
El Paso, TX 79902-1441

7. APPLICANT'S PHONE NOS. W/AREA CODE 10. AGENT'S PHONE NOS. W/AREA CODE
a. Residence a. Residence
b. Business **(915) 832-4740** b. Business

11. **STATEMENT OF AUTHORIZATION**

I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT*S SIGNATURE DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

Implement international agreement for emergency deliveries to Tijuana, Baja California, of a part of Mexico*s Colorado River waters through the Southern California Aqueducts

13. NAME OF WATERBODY, IF KNOWN *(if applicable)* 14. PROJECT STREET ADDRESS *(if applicable)*
Colorado River **None**

15. LOCATION OF THE PROJECT
San Diego **CA**
COUNTY STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

For secondary project components – Approximately 200* x 30* construction improvements footprint:The emergency connection site is about 6.3 miles (10.1 km) east of Otay POE near the international border, on the Otay Water District easement on (1) Alta Road and (2) on the Otay Water District (Otay) easement at area used by Border Patrol located between the primary and secondary international fences.

17. DIRECTIONS TO SITE

For primary project component - Implement international agreement for emergency water deliveries. See the existing connection (see Map 1) which is located at about the end of Alta Road between the primary and secondary fences.

ENG FORM 4345, Feb 94 EDITION OF SEP 911S OBSOLETE Proponent CECW-OR)

18. Nature of Activity *(Description of project, include all features)*

18. Nature of Activity (Description of project, include all features)

The emergency water deliveries to Tijuana, Mexico, will consist primarily of implementation of the terms and conditions of an IBWC Minute for deliveries of a portion of Mexico*s Colorado River water allotment, with no effects to water quality in the Colorado River. Secondarily (see Drawing 1 attached), replacement of an80-foot section of existing 14" pipe. Up to 120 feet of deteriorated 24-inch pipe will also be replaced. A maximum of approximately 200 linear feet of pipeline will be replaced between the Otay Water District (OWD) meter to the international border, with 24-inch pipe. The upgrade will require installation of a meter vault and bypass and a 1,000 square foot concrete security building or fence. All completed work will be on OWD existing 30-foot wide OWD easement on site which is accessible by existing roads. The surface area of above ground structures will be approximately 260ft^2 (24 m^2) and the area of the temporary land disturbance (i.e., construction) will be about 3050 ft^2 (283 m^2).

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is to arrange emergency deliveries of a portion of Mexico*s Colorado River water allocation to the Tijuana distribution system under the terms of an international agreement. It would prevent a water shortage there. This action has occurred periodically in the past and is anticipated to occur again at times during the next 5 years.

USE BLOCKS 20-22 **IF DREDGED AND/OR FILL** MATERIAL IS **TO BE DISCHARGED**

20. Reason(s) for Discharge

N/A

21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards

N/A

22. Surface Area in Acres of Wetlands or Other Waters Filled *(see instructions)*

None

23. Is Any Portion of the Work Already Complete? Yes _ No **X** IF YES, DESCRIBE THE COMPLETED WORK

24.Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody If more than can be entered here, please attach a supplemental list).

None

25.List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in this Application.

AGENCYTYPE APPROVAL	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
San Diego Water Qual. Control Board	**CWA Section 401**	**-**	**March 2001***	**-** **-**
USFWS	**USFWS coordination**	**-**	**March 2001***	**-** **-**
CA SHPO	**NHPA Section 106**	**-**	**March 2000***	**-** **-**
San Diego Air Pollution Control District	**Clean Air Act amended 1990**	-	**May 2000****	**-** **-**

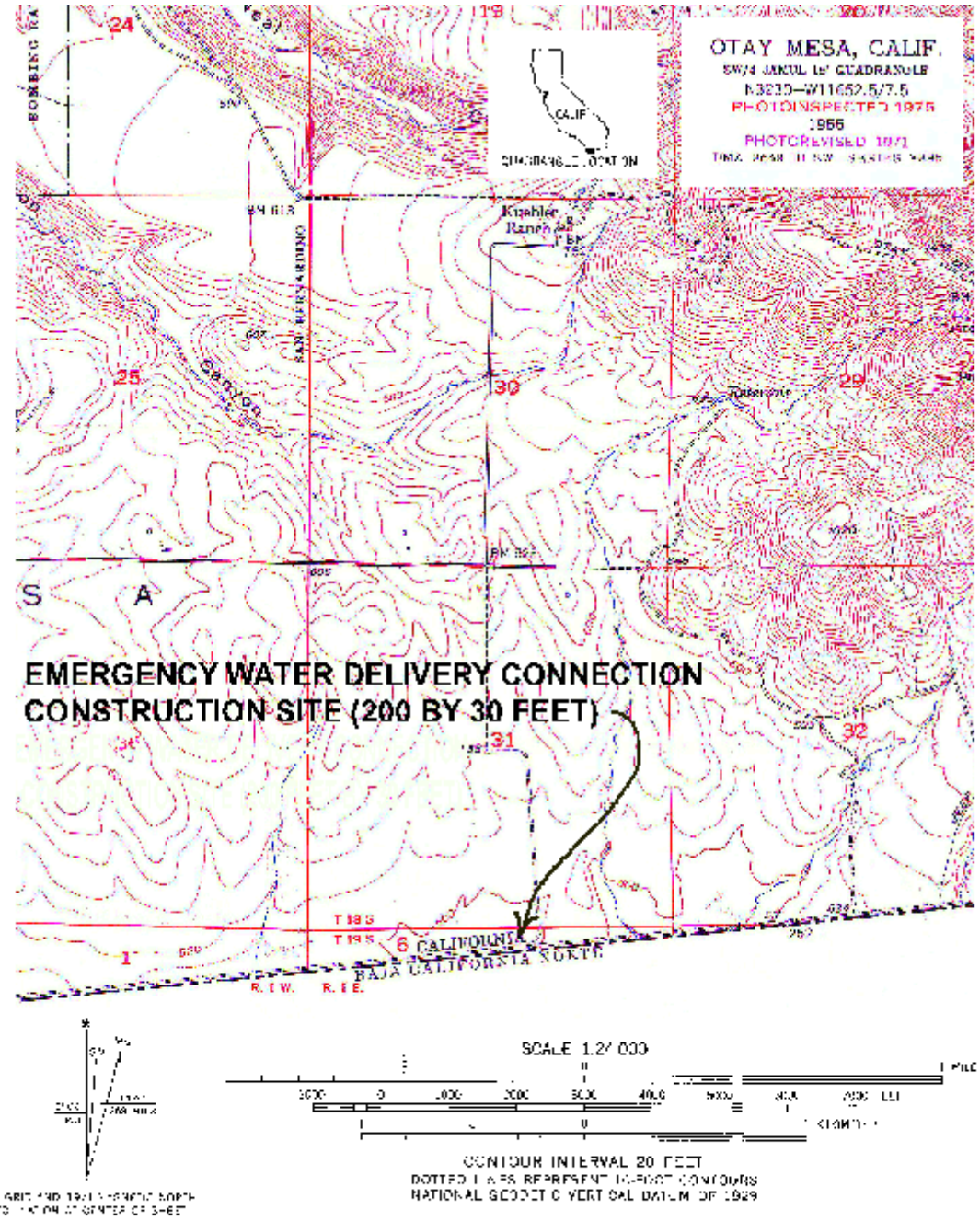
* Provided by U.S. Section for information only, except SHPO, by letter with this mailing of draft EA.
** Submitted by Otay Water District for CEQA. U.S. Section submits draft EA with letters to agencies/ public on NEPA/CEQA. Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

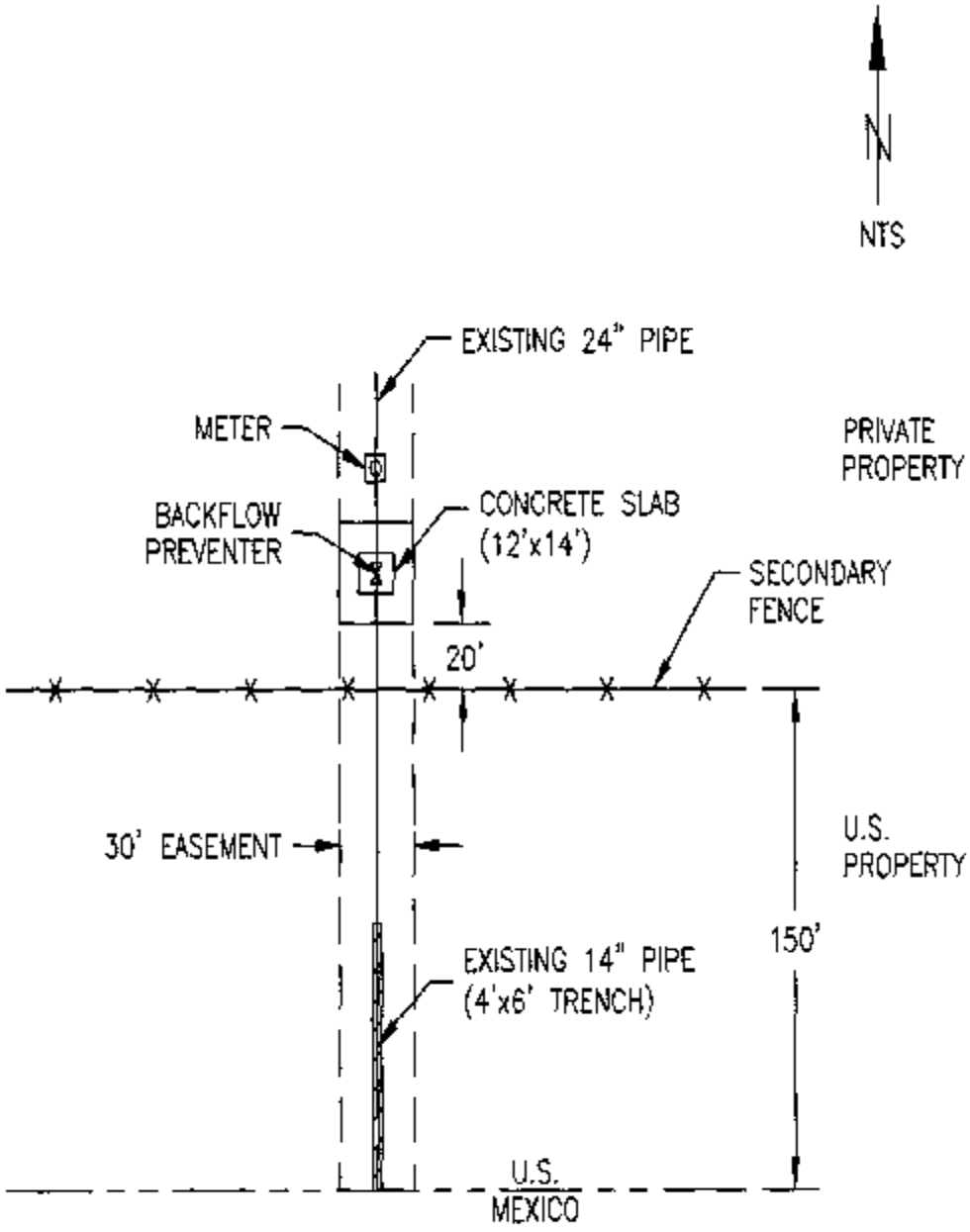
_____ _____ _____ _____

SIGNATURE OF APPLICANT DATE SIGNATURE OF AGENT DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in Block 11 has been filled out and signed. 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.



Map 1. Project Emergency Connection Site.



SAN DIEGO / TIJUANA

EMERGENCY CONNECTION FACILITIES

Drawing 1. Rough illustration of area and layout of structures. Shows replacement pipe with associated trenching at emergency connection.

Appendix D

Cultural Resources Survey Report Prepared by RECON, Inc. for the Otay Water District and United States Section

RECON

August 10, 2000

Mr. Mike Coleman
Environmental Specialist
Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91977

Reference: Results of a Historic Property Survey for the Proposed Water to Mexico Site (RECON Number 3383A)

Dear Mr. Coleman:

This letter provides the results of a historic property survey and recommendations for the Water to Mexico project in south-central San Diego County (Figures 1-3). The project is located on property under the control of the United States Border Patrol, between the primary and secondary fencing on the international border. An intensive pedestrian survey was completed of the project site and the immediately surrounding vicinity on July 24, 2000. Site record searches were completed at the South Coastal Information Center and at the San Diego Museum of Man (Confidential Attachment 1). The project right-of-way was determined as an area of 30 feet by 100 feet, south of the intersection of Otay Mesa Road and Alta Road. There were no historic property sites, features, or isolated finds observed within the area of coverage and none are expected to occur. There will be no impacts to historic properties as a result of this project and no further work is recommended.

The pedestrian survey and site record and archival search were conducted in support of the preparation of a proposed emergency action to transfer water to Mexico by the United States Section of the International Boundary and Water Commission. The planned activity is the "Emergency Delivery of Colorado River Water to Mexico." This plan would deliver a portion of Mexico's Colorado River water allotment through the California aqueduct system to the international boundary emergency connection at Otay Mesa, San Diego County, and from there to Tijuana, Baja California. The project will include the replacement of some 80 feet of 14-inch line with a 28-inch line at the emergency connection on U.S. property and to install, approximately 100 feet north of the pipeline, a meter with bypass and associated vault, backflow preventer, and security fence on a cement slab within an easement on private property. The meter will be accessed using existing roads and on property controlled by the U.S. Border Patrol. All excavation and associated impacts will occur within a previously disturbed pipeline segment.

The property is bordered on the south by Mexico (see Figures 1-3) and on the north by dirt roads that are used by the Border Patrol. The Tijuana International Airport is less than three miles to the southwest. The project is 500 feet above mean sea level, on a mesa that rises gently from the west to the east.

Otay Mesa has a rich history of historic property presence. There are numerous mapped sites in the vicinity of the project (see Confidential Attachment 1 and Table 1). There has also been a considerable amount of development in this area of the county over the past 15 years resulting in the completion of numerous survey, evaluation, and data recovery projects within one-quarter mile of this location.

3927 Fifth Avenue, Suite 200
San Diego, CA 92103-2358
619 / 308 9333
Fax 308-9334

A survey of the project and immediately surrounding area produced no indication of archaeological sites, features, or isolated finds. Ground surface visibility was excellent and there were no restrictions on the completion of 100 percent survey coverage. Conditions at the project site are shown in Photographs 1-7. As shown in the photographs, the project area is disturbed and accessible

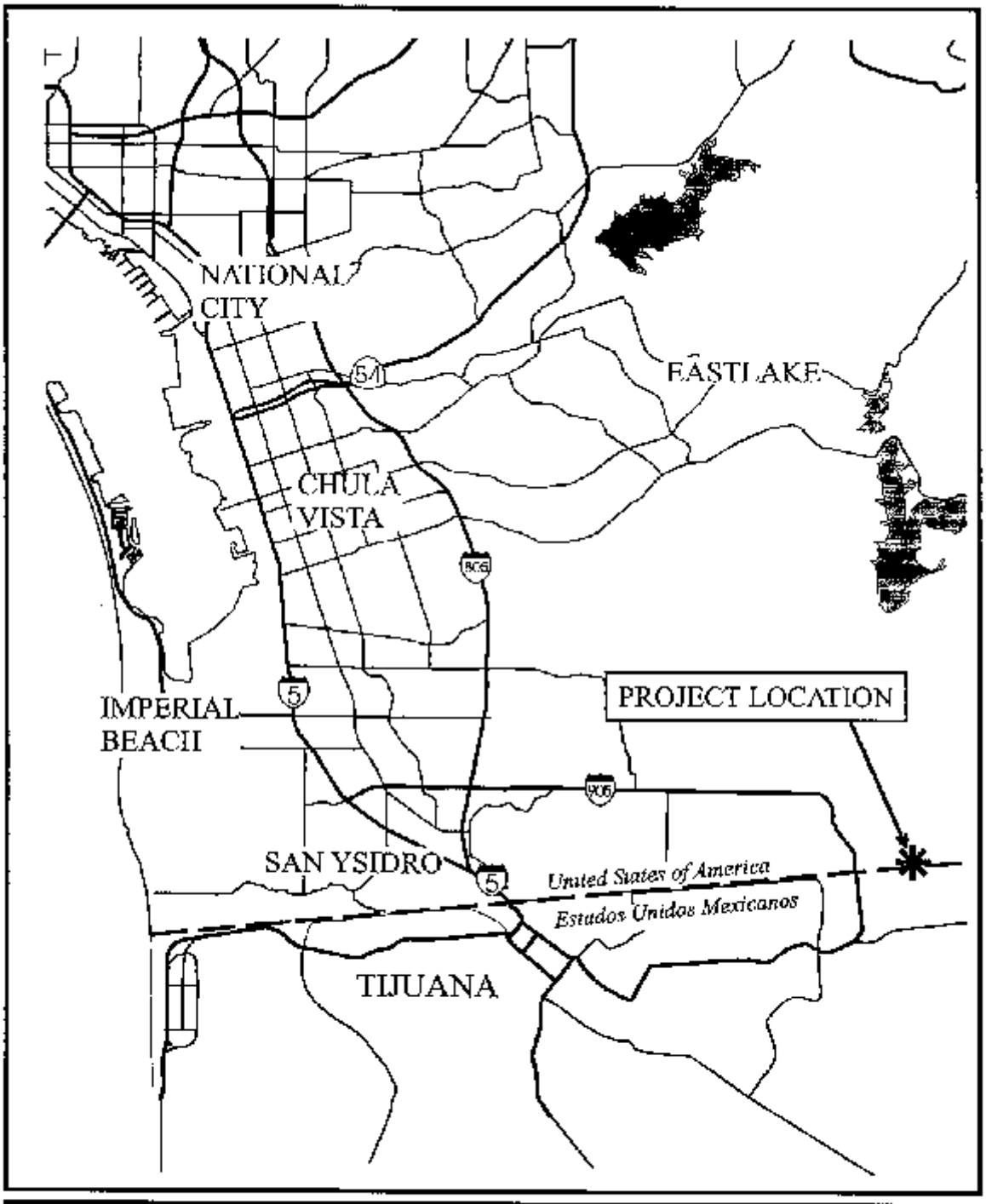
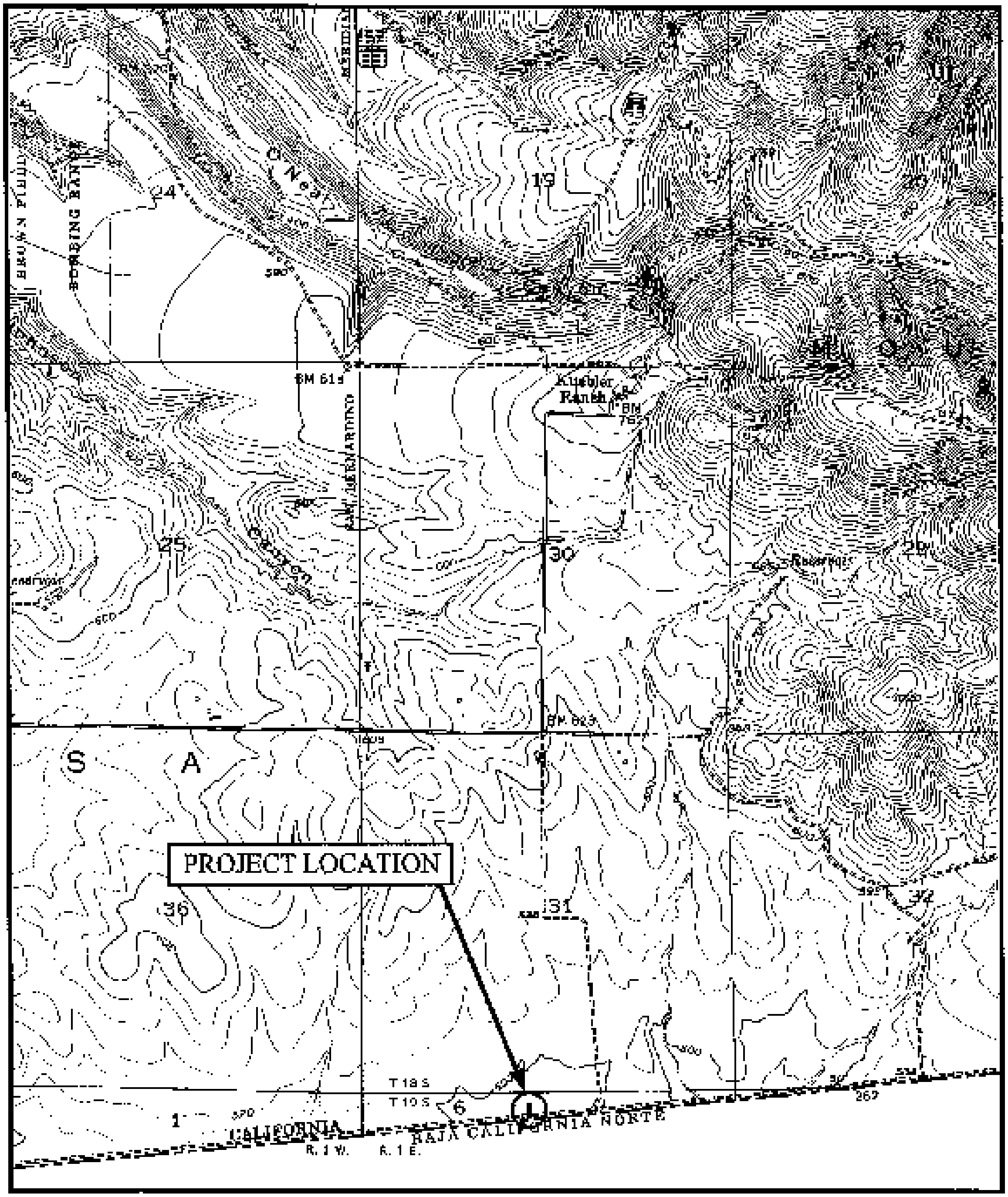


FIGURE 1
Regional Location of the Project



Map Source: U.S.G.S. 7.5 Minute topographic map, Otay Mesa quadrangle

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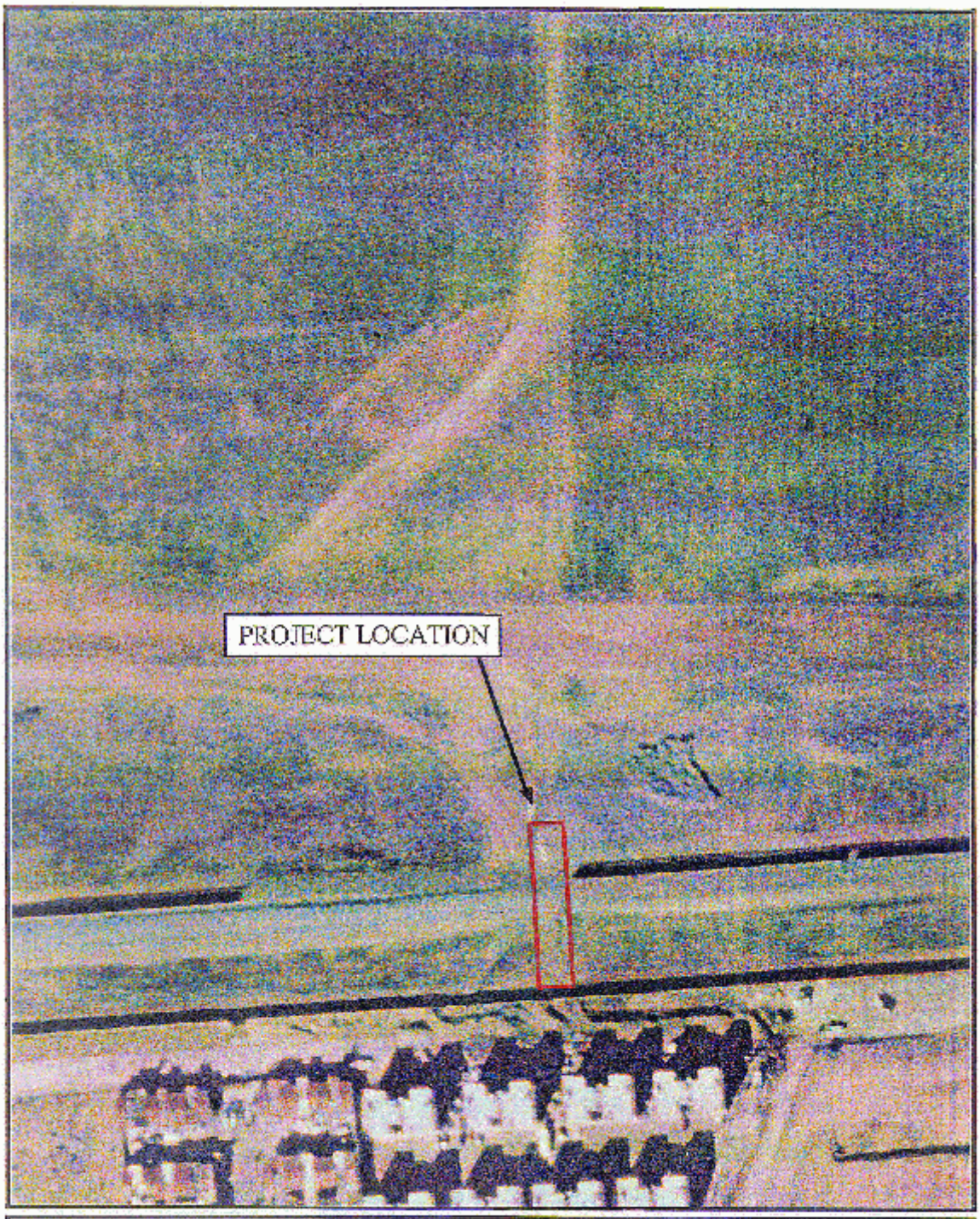
FIGURE 2

Project Vicinity



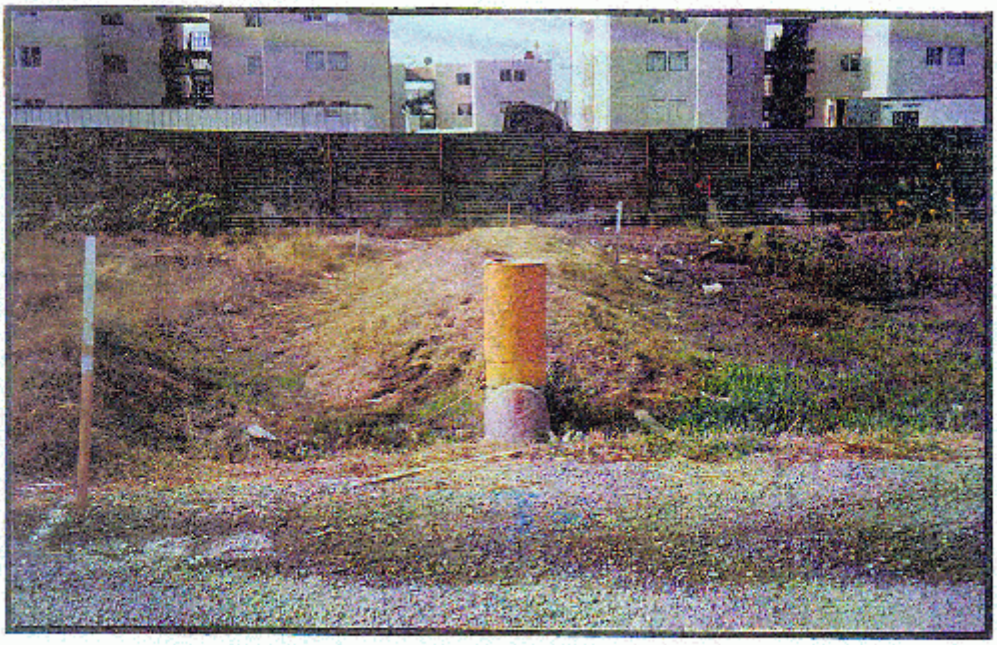
Photograph Source: Aerial Photobank, Inc. 2000

NO SCALE

R 31SA

FIGURE 3

Aerial Photograph of the Project



PHOTOGRAPH 1

Project Location. International Border Fence is at Top of Slope and Apartments are in Mexico

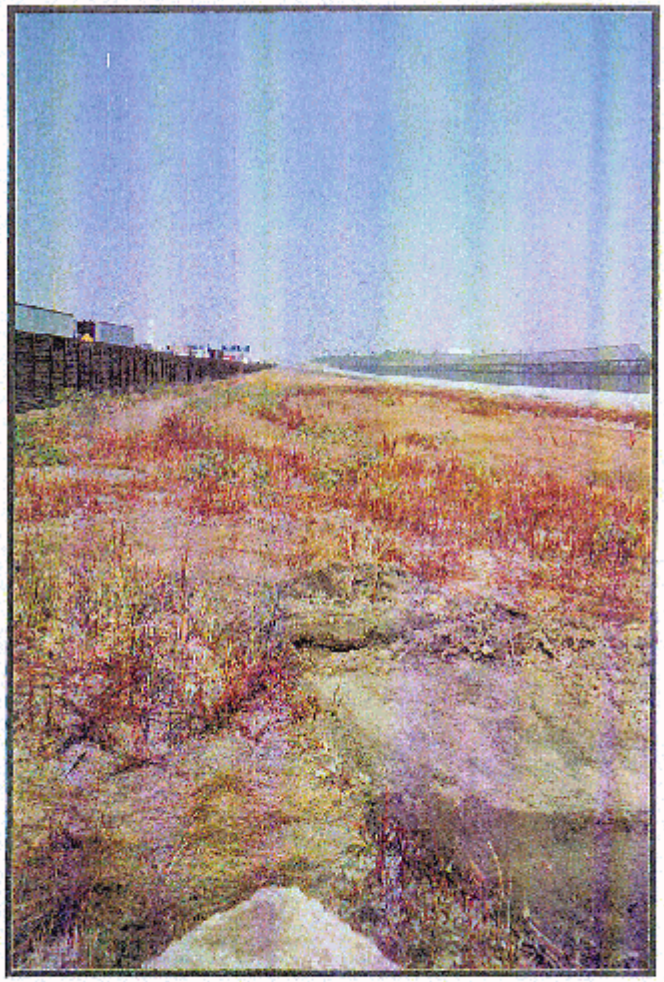
PHOTOGRAPH 2

Looking South at Disturbed Soil Berms and Standing Water

R-5593A

PHOTOGRAPH 3

Looking Northeast Across Project Area to Inner (New) Border Fence



PHOTOGRAPH 4

Looking West at Scraped Area Between Border Fences

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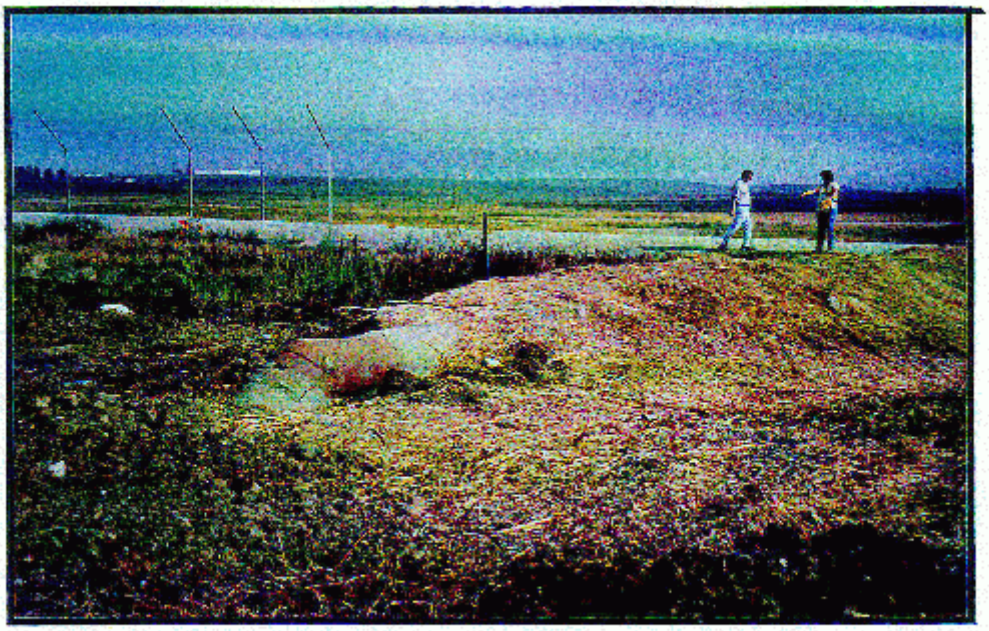


PHOTOGRAPH 5

Looking North Across Project Area

PHOTOGRAPH 6

Looking North at Disturbed Soil in Project Site

3-3383A

PHOTOGRAPH 7

Looking Southwest at Disturbed Soil in Project Area

by well-traveled dirt roads. There are no historic properties within the immediate area of this project and none are within the defined area of potential effect from direct or indirect actions. No further work is recommended for this project with regard to historic property management.

If there are any questions regarding the contents of this report, please contact Dayle Cheever or me.

Sincerely,

Jo Anne D. Gilmer
Project Archaeologist

JDG:llg

Confidential Attachment

cc/att: Steve Fox, IBWC

Appendix E

Clean Water Act, Section 401 Form, Water Quality Correspondence from the United States Section to the California Regional Water Quality Control Board

APPENDIX E. PROVIDED BY THE UNITED STATES SECTION FOR YOUR INFORMATION

WATER QUALITY CERTIFICATION APPLICATION

Please provide the following information for our records when submitting your application for Water Quality Certification.

1. Applicant **United States Section, International Boundary and Water Commission**

2. Street Address **Attn: Environmental Management Division, 4171 N Mesa, C-310**

3. City, State **El Paso, TX 79902-1441**

4. Applicant Contact **Sylvia A. Waggoner, Division Engineer, Environmental Management Division, (915) 832-4740**

5. Agent (contractor, consultant, ...) Name **N/A**
Address
Contact
Phone number

6. Project Title **Implement International agreement for deliveries to Tijuana, Baja California, of a part of Mexico's Colorado River water allocation through the Southern California Aqueducts**

7. Project Description **The final conveyance point to Mexico requires use of an existing line to be replaced at Mexico's expense. This line to Mexico requires the replacement of an 80-foot segment of existing 14-inch pipeline that was initially installed as a temporary measure. Up to 120 feet of deteriorated 24-inch pipeline will also be replaced. Therefore, a maximum of approximately 200 linear feet of pipeline will be replaced, between the Otay Water District (OWD) meter to the international border, with 24-inch pipeline consistent with the remainder of OWD pipelines in the Otay Mesa area. The upgrade in diameter that will occur through the replacement of 14-inch diameter section of pipeline will require the installation of a meter vault and bypass that will also include backflow prevention and a small (less than 1,000 square foot) concrete security**

building or fence. All pipeline and meter vault construction, as well as completed facilities, will be located within the existing 30-foot wide OWD easement on the site which is accessible by existing roads. This improvement facilitates the City of Tijuana's peak demand of approximately 4.0 m^3/sec (91 mgd) by the Comision Estatal de Servicios Pubilico de Tijuana (CESPT) system.

8. Corps of Engineers Permit Type (Nationwide Permit (NWP) Number, Individual, or General) **N/A**

9. Affected Water Body (ies) **Colorado River**

10. Project Activity (ies) which necessitate the issuance of a Corps of Engineers Section 404 permit (including NWPs) (CIRCLE ONE OR MORE)

(a) Wetland dredge and/or fill
(b) Riparian dredge and/or fill
(c) Streambed dredge and/or fill
(d) Lake dredge and/or fill
(e) Ocean dredge and/or fill

11. County (San Diego, Riverside, or Orange) **San Diego**
12. Acres of Fill **None**
13. Acres of Permanent Impact **The surface area of the above ground structures will be approximately 260 ft^2 (24 m^2).**

14. Acres of Temporary Impact **The area of the temporary land disturbance (i.e., construction) will be about 3050 ft^2 (283 m^2).**

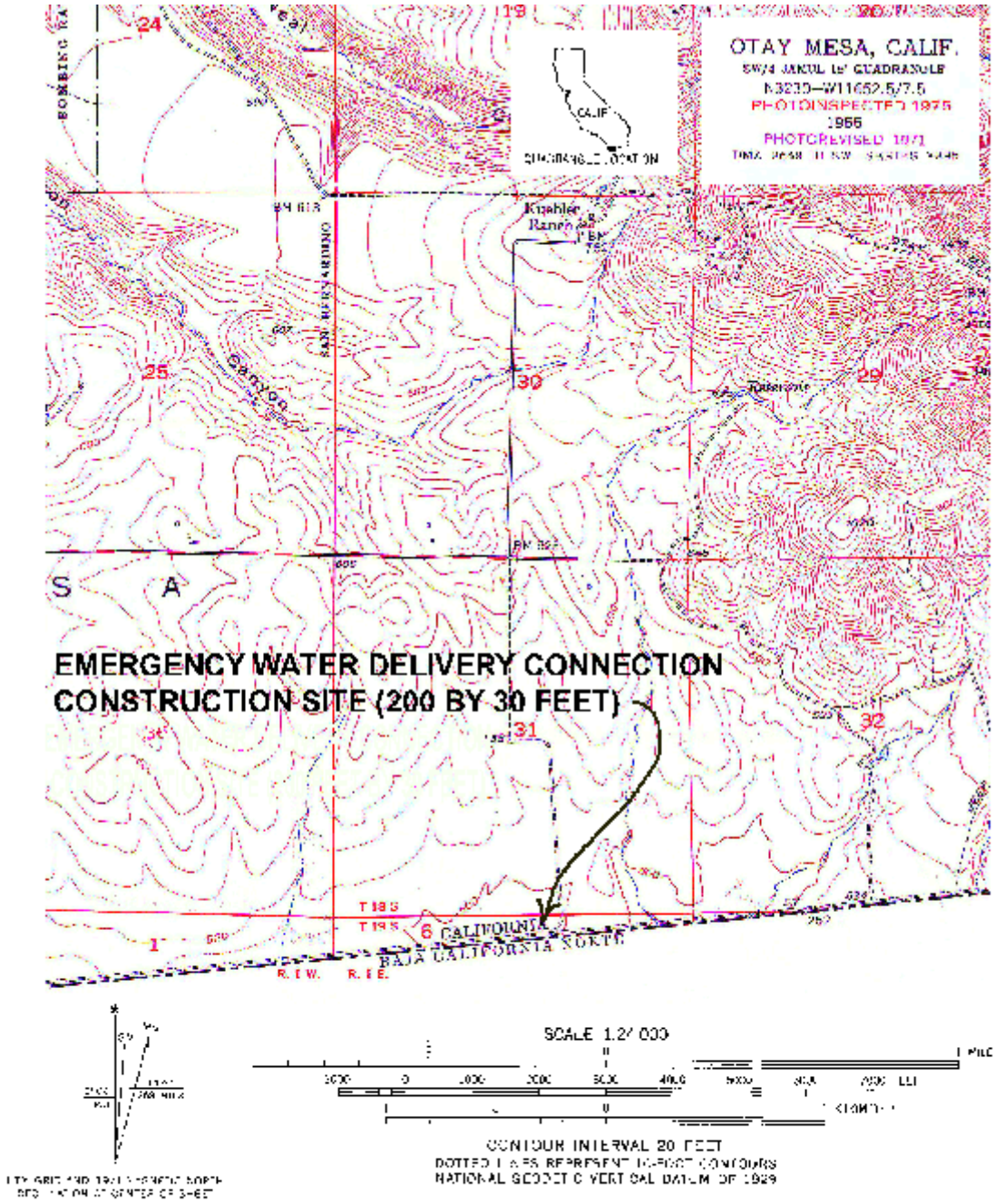
15. Acres of Compensatory Mitigation **None required**
16. Dredge Volume (cu yds) **None**

17. U.S. Army Corps of Engineers Contact **Mr. Mark Tucker, 16885 West Bernard Drive #300, San Diego, CA 92127-1620**

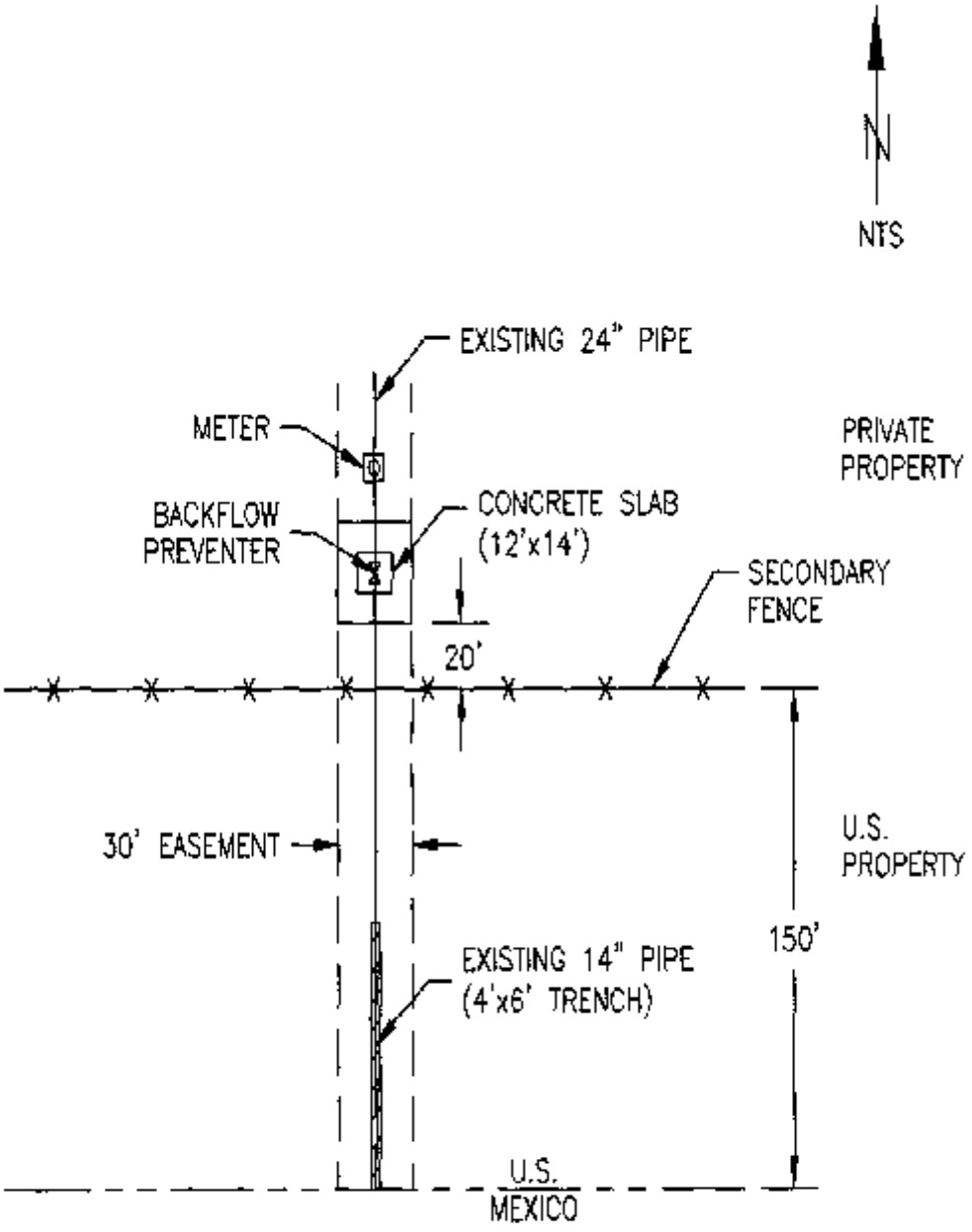
18. Fee of $500 (is it included?) **No, please waive**
(Yes/**No**)

Please be sure to include a copy of your application to the U.S. Army Corps of Engineers, a streambed alteration agreement if one is required, and a copy of any environmental documents which have been prepared for the project

(8/30/96)



Map 1. Project Emergency Connection Site.



SAN DIEGO / TIJUANA

EMERGENCY CONNECTION FACILITIES

Drawing 1. Rough illustration of area and layout of structures. Shows replacement pipe with associated trenching at emergency connection.

Appendix F

Correspondence, Comments Requested, and Letters of Contact

1. Correspondence - Document from the Otay Water District (OWD) to the State of California Office of Planning and Research - *Notice of Exemption* for border improvements under OWD's jurisdiction

2. Correspondence - Copy of Otay Water District letter to the San Diego Air Pollution District

W.O. 9199

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) *Otay Water District*
2554 Sweetwater Springs Boulevard
Spring Valley, CA 91978-2096

☒ County Clerk/Recorder
County of: *San Diego*
P.O. Box 121750
San Diego, CA 92112-1750

FILED
Gregory J. Smith, Recorder/County Clerk
AUG 30 2000
BY _____ DEPUTY

Project title: *Emergency Delivery of Colorado River Water to Mexico (W.O. 9199)*

Project location – Specific: *U.S. side of border within Alta Road south of Siempre Viva Road. (see attached Exhibits).*

Project location – City: *N/A* Project Location – County: *San Diego*

Description of Nature, Purpose and Beneficiaries of Project:

The *purpose is to provide emergency delivery of a portion of Mexico's Colorado River water via the California Aqueduct System (a maximum of 22 cubic feet/second (cfs) generally occurring from July to October each year or a maximum of 5,300 acre feet) to the international boundary connection at Otay Mesa in San Diego County for Tijuana, Baja California. The project involves replacement of a 80 feet long segment of existing 14-inch line installed some years ago as a temporary emergency measure and replacement of deteriorated 24" line (up to 120 feet) for a maximum of up to 200 linear feet of total length pipe replacement (from Otay Water District (OWD) meter to international border). The entire length of the OWD pipeline serving Otay Mesa in the project vicinity is 24-inches in diameter. The replacement sections of pipeline will be consistent or compatible with this 24-inch pipeline. The project will also include the installation of a meter with bypass and associated vault, backflow prevention, and concrete security building of less than 1,000 square feet (or alternately, a security fencing) within the existing 30-foot right-of-way.*

The proposed water will be delivered using existing pumps and natural gas engines located within the San Diego Air Basin (SDAB) approximately 2-miles north of the international boundary and emergency connection site. The pumps are driven by three (3) 500-horse power natural gas engines. An increase in the number of hours of operation of the engines will be required in order to meet the demand for emergency water deliveries. An air quality permit analysis (on file with the San Diego County Air Pollution Control District) on the proposed increased engine usage was performed to determine compliance with the de minimus air quality standards for criteria pollutants.

The detailed air quality analysis indicated project-related air emissions are at the threshold for some of the criteria pollutants. The proposed action will be in compliance with de minimus air quality standards by implementation of the best available control technology. The air emissions impacts will be below all applicable ambient air quality standards. As a result, the project conforms with the Federal Clean Air Act as amended in 1990 and complies with the California Environmental Quality Act (CEQA) requirements for air resources. CEQA Section 15281 states " CEQA does not apply to issuance, modification, amendment or renewal of any permit by an Air Pollution Control District...".

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Biological and Cultural Resources surveys conducted at the site in July 2000 by RECON. The results of these surveys indicate that no environmental constraints, relating to biological and historic resources, occur within in the proposed project footprint.

Name of Public Agency Approving Project: *Otay Water District*

Name of Person or Agency Carrying Out Project: *Otay Water District*

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268));
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Statutory Exemption: Section 15282 (v)
- ☒ Categorical Exemption Type: Sec. 15302, Class 1(c).

Reasons why project is exempt: *CEQA Statutory Exemption § 15282 (v) allows for temporary changes in the point of diversion, place of use, of purpose of use due to transfer or exchange of water or water rights as set forth in § 1729 of the Water Code.*

CEQA Categorical Exemption § 15302 allows replacement or reconstruction of existing utility systems and/ or facilities involving negligible expansion of capacity.

Lead Agency
Contact Person: *Michael F. Coleman, AICP*; Area Code/Telephone/Extension: *(619) 670-2293*

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: *Michael F. Coleman* Date: 8-29-2000 Title: Principal Environmental Specialist

FILED IN THE OFFICE OF THE COUNTY CLERK
SAN DIEGO COUNTY ON AUG 30 2000
POSTED AUG 30 2000 REMOVED SEP 29 2000
RETURNED TO AGENCY ON SEP 29 2000
DEPUTY WC

Cc: Tom Harron, OWD
Bart Mumford, OWD
Dan Mahanke, OWD
Jim Gunstinson, OWD
Jason Cavender, OWD
Charlie Cassens, OWD
Pedro Porroe, OWD
Terry Kreuiter, OWD

Ronald R. Gastelum, Metropolitan Water District of Southern California
Robert Johnson, U.S. Bureau of Reclamation
Steve Fox, International Boundary and Water Commission
Ken Weinberg, San Diego County Water Authority
Larry Purcell, San Diego County Water Authority
Dana Friehauf, San Diego County Water Authority
Tom Held, RECON
Shirley Rivera, R/CAT

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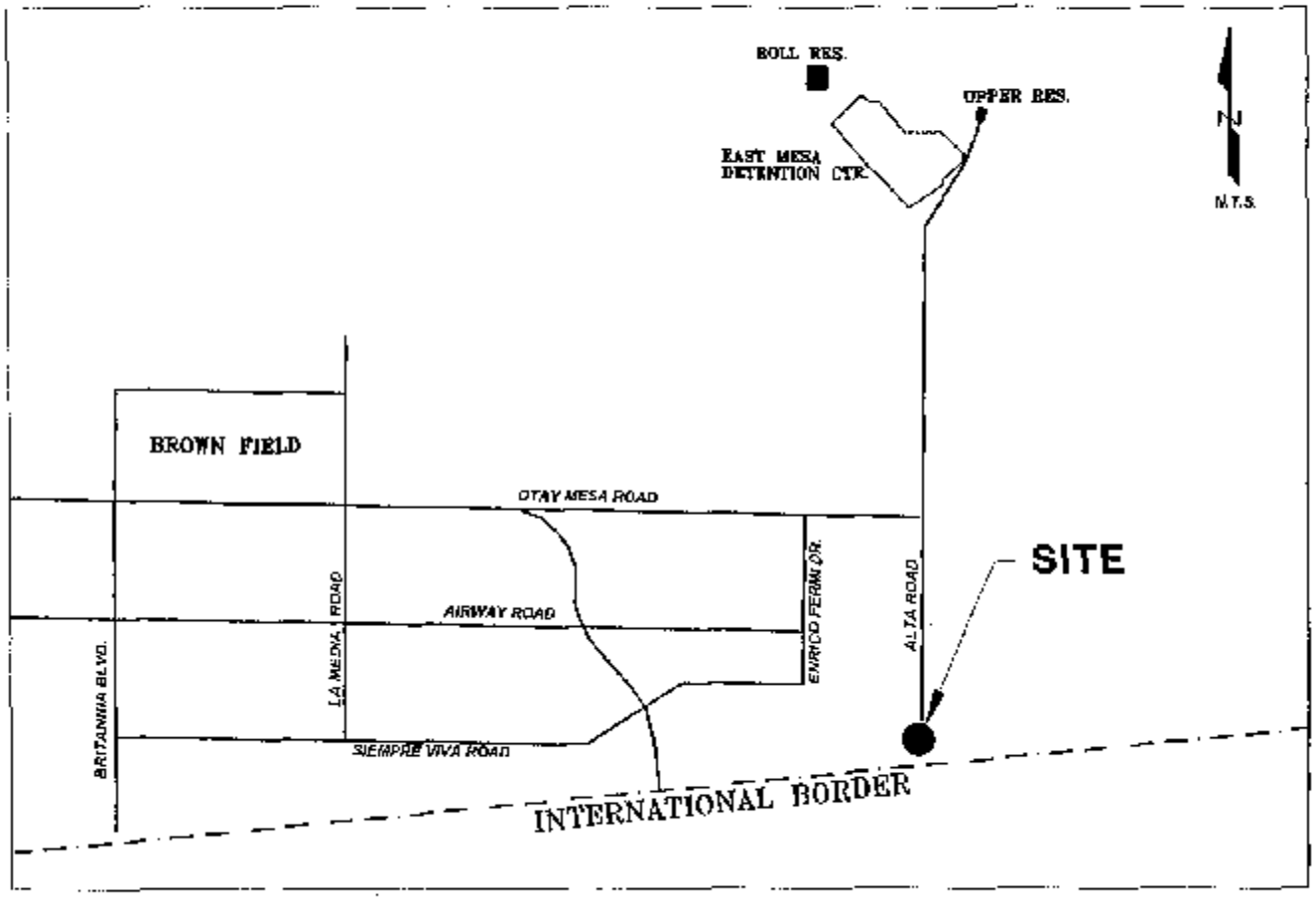
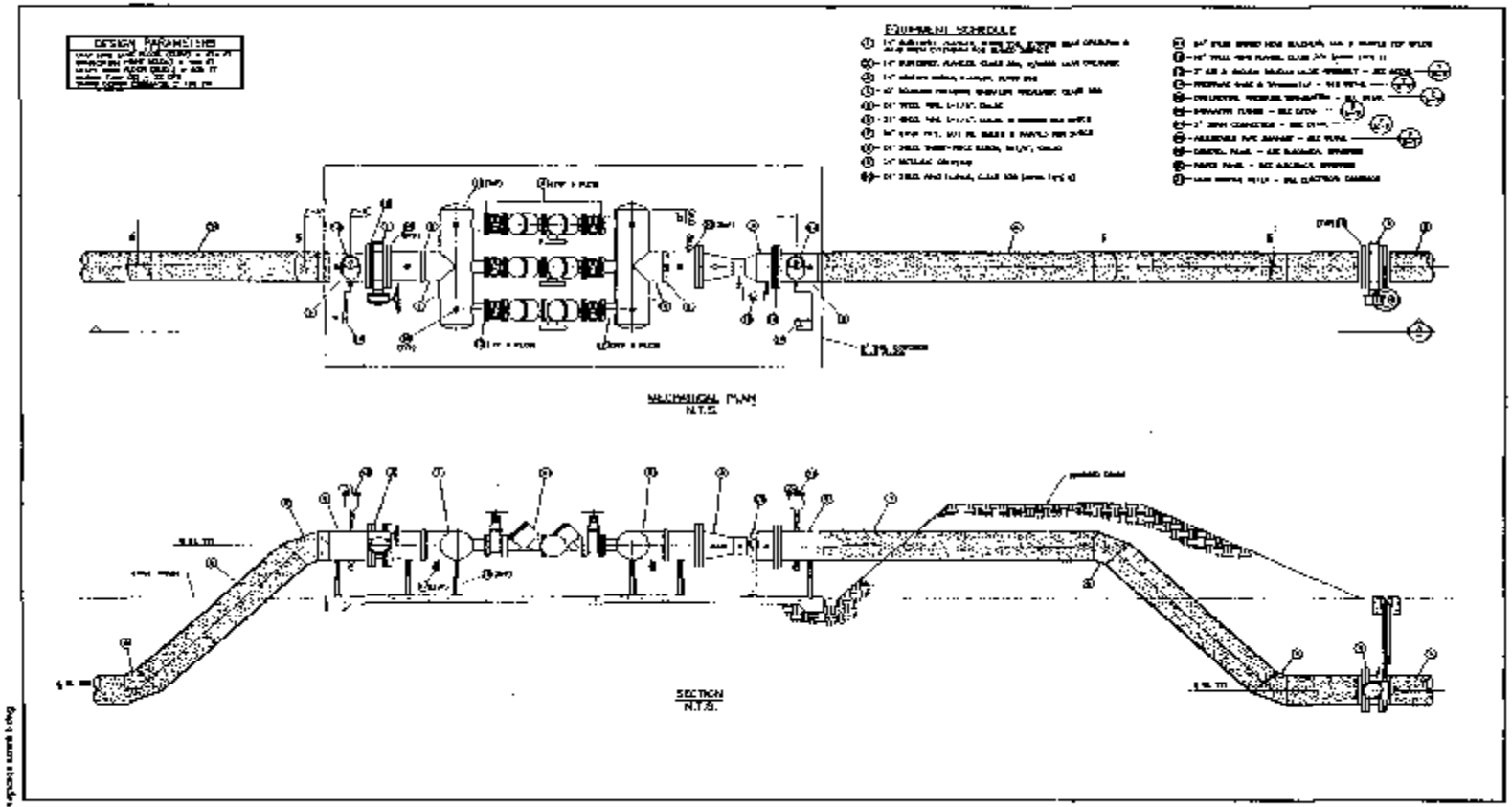
OTAY WATER DISTRICT



U.S.– MEXICO EMERGENCY CONNECTION

EXHIBIT A

OTAY WATER DISTRICT



U.S.– MEXICO EMERGENCY CONNECTION

EXHIBIT H

... Dedicated to Community Service
2554 SWEETWATER SPRINGS BOULEVARD, SPRING VALLEY, CALIFORNIA 91978-2099
TELEPHONE: 670 2222 AREA CODE 619

August 3, 2000 W.O. 9199

Mr. Michael Lake, Chief
San Diego Air Pollution Control District
9150 Chesapeake Drive
San Diego, CA 92123

SUBJECT: Otay Water District – Permit Applications for Certificates of Registration #960064, #960065, and #960066 (Engine Nos. 19, 20, and 21.)

Dear Mr. Lake:

Enclosed is the appropriate payment for the processing of this permit application for the increase in the effective daily hours of operation of Certificates of Registration #960064, #960065, and #960066 to 24 hours per day and the continued ability to operate 8,760 hours per year. These natural gas engines currently serve the primary drive for the Otay (District) pumps. San Diego Gas & Electric supplies the natural gas used by these units. The District is requesting the flexibility to operate these units as needed. This need is predicated on the Federal request received by the District to provide emergency water delivery to Mexico.

Due to the immediate need for the District to provide emergency water service to Mexico, all efforts in expediting the processing of these permit applications would be appreciated. The United States Section, International Boundary and Water Commission (USIBWC) has directed the District to undertake a proposed activity entitled "Emergency Delivery of Colorado River Water to Mexico." It involves delivery of a portion of Mexico's Colorado River water via the California aqueduct system, to the international boundary connection at Otay Mesa, San Diego County for Tijuana, Baja California.

The application fee quoted by Mr. Earnie Davis of your staff is included in the application package. Additionally, the following are included: (a) applicable permit and supplemental forms, (b) vendor data, (c) emissions information, (d) regulatory evaluation, (e) site map, and (f) BACT demonstration.

The District looks forward to the completion of your review. Meanwhile, if you have any questions, please don't hesitate to call me at 619-670-2293.

Sincerely,

Michael F. Coleman
Principal Environmental Specialist

MFC/mml

Enclosure (Permit Applications and Fees)

cc: Tom Harron
Bart Mumford
Dan Mahanke
Jim Gunstinson
Jason Cavender
Steve Fox, International Boundary and Water Commission
Dana Friehauf, San Diego County Water Authority
Tom Held, RECON
Shirley F. Rivera, Resource Catalysts
Maria Jaminet, SAIC
Susan Shelvis, Iris Environmental Services

P:\WORKING\Wp9198\Engine 19-20-21 cr 7-28-00.cor

Appendix G

Officials, Agencies and Others from which Comments are Requested

A. Federal Congressional Delegation

U.S. House of Representatives

Honorable Duncan Hunter
U.S. House of Representatives
Attn: Kevin Opstrup, Env. Leg. Ast.
2265 Rayburn House Office Bldg.
Washington, DC 20515
(1 CD)

Honorable Duncan Hunter
U.S. House of Representatives
366 South Pierce St.
El Cajon, CA 92020-4136
(1 Hardcopy)

Honorable Duncan Hunter
U.S. House of Representatives
Attn: Honorable Duncan Hunter
1101 Airport Rd., Ste. G
Imperial, CA 92251-1828
(1 CD)

Honorable Susan Davis
U.S. House of Representatives
1517 Longworth Building
Washington, DC 20515
(1 Hardcopy)

Honorable Susan Davis
U.S. House of Representatives
2150 Washington St., Ste. 210
San Diego, CA 92110
(1)

Honorable Robert Filner
U.S. House of Representatives
2463 Rayburn Bldg.
Washington, DC 20515
(1 FONSI - Hardcopy)
(1 CD)

Honorable Robert Filner
U.S. House of Representatives
333 F St., Ste. A
Chula Vista, CA 91910
(1 Hardcopy)

U.S. Senate

Honorable Diane Feinstein
Office of Senator Diane Feinstein
331 Hart Senate Building
Washington, DC 20510-0504
(1 Hardcopy)

Honorable Diane Feinstein
Office of Senator Diane Feinstein
Attn: Mike Richmond, District Director

750 "B" St., Ste. 1030
San Diego, CA 92101
(1 Hardcopy)

Honorable Barbara Boxer
Office of Senator Barbara Boxer
112 Hart Senate Office Building
Washington, DC 20510
(1)

Honorable Barbara Boxer
Office of Senator Barbara Boxer
Attn: Ms. Amy Denhart
600 B St., Ste. 2240
San Diego, CA 92101
(1 CD)

B. State of California

Honorable Gray Davis
Governors Office - San Diego
1350 Front St., Ste. 6054
San Diego, CA 92101
(1 Hardcopy)

California State Assembly

Honorable Howard Wayne
Office of Assembly
Attn: Mr. Fred Gilbert
1350 Front St., Ste. 6013
San Diego, CA 92101
(1 Hardcopy)

Honorable Jay LaSuer
California State Assembly
Attn: Mr. Doug Haaland
State Capitol, Rm. 4102
Sacramento, CA 95814
(1 CD)

Honorable David G. Kelley
Office of Assembly
73-710 Fred Waring Dr., Ste. 108
Palm Desert, CA 92260
(1 Hardcopy)

Honorable David G. Kelley
California Assembly, Dist. 80
Attn: Mr. David Kelley
State Capitol Rm. 4162
Sacramento, CA 95814
(1 CD)

Honorable Juan Vargas
California Assembly, District 79
State Capitol, Rm. 2188
Sacramento, CA 94249-0001
(1)

Honorable Charlene Zettel
Office of Assembly
Attn: Assemblywoman Charlene Zettel
15708 Pomerado Rd., Ste. 110
Poway, CA 92064
(1 CD)

California State Senate

Honorable Dede Alpert

California State Senate
Attn: Ms. Mary Ann McCarthy
1557 Columbia St.
San Diego, CA 92101
(1 Hardcopy)

Honorable Dede Alpert
California State Senate
State Capitol Rm. 5114
Sacramento, CA 95814
(1 Hardcopy)

Honorable Jim Battin
Office of Senator Jim Battin
Attn: Ms. Kim Glassman
73710 Fred Waring Dr., Ste. 112
Palm Desert, CA 92260
(1 Hardcopy)

Honorable Steve Peace
Office of Senator Steve Peace
Attn: Ms. Shere Mann
7877 Park Way Dr., Ste. 1B
La Mesa, CA 91942-2002
(1 Hardcopy)

Honorable Steve Peace
Office of Senator Steve Peace
California State Legislature
State Capitol Rm. 3060
Sacramento, CA 94248-0001
(1)

C. Federal Agencies

Ms. Laura Yoshii
Acting Regional Administrator
United States Environmental Protection Agency
75 Hawthorne St.
San Francisco, CA 94105-3901
(1 Color hardcopy)

Mr. Mark Tucker
United States Army Corps of Engineers
16885 West Bernardo Dr., #300 A
San Diego, CA 92127-1620
(1)

Ms. Nancy Gilbert
United States Fish and Wildlife Service
Attn: Mr. Gjon Hazard, Mr. Martin Kenney
2730 Loker Ave. West
Carlsbad, CA 92008
(2 Color hard copies)

Ms. Melanie Khanne
Environmental Officer
Bureau of Oceans and International Environmental and Scientific Affairs
Department of State
Washington, DC 20520
(2 Color hard copies, Thru Ms. Mary Brandt)

Mr. Robert Johnson
Regional Director
Attn: Paul Matuska
U.S. Bureau of Reclamation
P.O. Box 61470
Boulder City, NY 89006-1470
(1)

Mr. Kenneth Stitt

Assistant Chief, Border Patrol Agent
U.S. Border Patrol
San Diego Sector
2411 Boswell Rd.
Chula Vista, CA 91914
(1 Hardcopy)

Ms. Ruth B. Villalobos
Chief, Planning Division
United States Army Corps of Engineers
Attn: Mr. Kenneth R. Morris
P.O. Box 2711
Los Angeles, CA 90053-2325
(1 Hardcopy)

Mr. Milton Blankenship
Joint Task Force Six
Attn: JTFC-J3-EN
Building 11603, Biggs Field
Fort Bliss, TX 79916-0058
(1)

Mr. Eric Verwers
U.S. Army Corps of Engineers
Fort Worth District
Attn: CESWF-PM-INS
P.O. Box 17300
Fort Worth, TX 76102-0300
(1 CD)

Ms. Judy Smith
Momographs Acquisitions Service
The Libraries
Colorado State University
Fort Collins, CO 80523-1019
(1 Hardcopy)

Ms. Debra Hood
U.S. Department of Justice
Immigration & Naturalization Service
425 "I" St., NW, Rm. 2102
Washington, DC 20536
(1)

Mr. Alan Bersin
Department of Justice
Southern District of CA
940 Front St.
San Diego, CA 92101
(1 Hardcopy))

U.S. Border Patrol
Attn: Mr. Calvin Davis
P.O. Box 68
Imperial Beach, CA 91933
(1 CD)

D. State Agencies

Mr. Vincente Rodriguez
Executive Officer
California Regional Water Quality Control Board
Attn: Mr. Brian Kelley
9771 Clairemont Mesa Blvd., Ste. A
San Diego, CA 92124
(1 Hardcopy)

Dr. Knox Mellon
State Historic Preservation Officer
California Department of Parks and Recreation
Office of Historic Preservation
P.O. Box 942896

Sacramento, CA 94296-0001
(1 Hardcopy)

Mr. William E. Tippets
California Department of Fish and Game
4949 Viewridge Ave.
San Diego, CA 92123
(1)

Ms. Terry Roberts
California State Clearing House
Office of Planning and Research
1400 Tenth St., Rm. 121
Sacramento, CA 95814
(15 Hard copies)

State Lands Commission
Attn: Ms. Betty Silva
Southern California Region Unit
100 Howe Ave., Ste. 100 - South
Sacramento, CA 95825
(1 Hardcopy)

California Department of Health Services
Office of Drinking Water
Attn: Mr. Brian Bernados
1350 Front St., Rm. 2050
San Diego, CA 92101
(1 CD)

Ms. Kristen Miller Aliotti
Director
Governor's Office of California-Mexican Affairs
Symphony Towers
750 B St., 370
San Diego, CA 92101
(1 Hardcopy)

Mr. Brain Bernados
District Engineer for the San Diego Office
California Department of Health Services
Office of Drinking Water
1350 Front St., Rm. 2050
San Diego, CA 92101
(1 CD)

E. City of San Diego

Mayor Dick Murphy
City of San Diego
Attn: Mr. Tom Storey
202 C St., 11th Fl.
San Diego, CA 92101
(1)

Mr. Chris Zerkle
City of San Diego
Development Services Department
1222 First Ave., 10th Fl
San Diego, CA 92101
(1)

City of San Diego
Planning Department
Attn: Mr. Larry Mazzretti
202 "C" St., 10th Fl.
San Diego, CA 92101
(1 CD)

F. County of San Diego

San Diego County

Air Pollution Control District
Attn: Mr. Rob Rider, ASRD
9150 Chesapeake Dr.
San Diego, CA 92123
(1 CD)

Mr. Bob Copper
Deputy CAO
County of San Diego, Rm. 212
1600 Pacific Hwy.
San Diego, CA 92101
(1 CD)

Ms. Maureen A. Stapleton
General Manager
San Diego County Water Authority
4677 Overland Ave.
San Diego, CA 92123
(1)

Mr. Larry Purcell
San Diego County Water Authority
Attn: Mr. Jeff Galizio
4677 Overland Ave.
San Diego, CA 92123
(1 Hardcopy)

Mr. Joe Destefano
County of San Diego
Office of Planning and Land Use
5201 Ruffin Rd., Ste. B
San Diego, CA 92123
(1 Hardcopy)

San Diego County Sheriffs Department
Attn: Mr. Chuck Gaines
9621 Ridgehaven Court
San Diego, CA 92123
(1 Hardcopy)

G. Libraries

San Diego Central Library
Science Department
Attn: Gary
820 "E" St.
San Diego, CA 92101-6478
(1 Hardcopy)

Ms. Christine Siegel
City of San Diego
Environmental Services Department
Environmental Services Library, Ste. 130
9601 Ridgehaven Court
San Diego, CA 92123-1636
(1 Hardcopy)

Otay Mesa Branch Library
Attn: Ignacio Lucero
3003 Coronado Ave.
San Diego, CA 92154
(1 Hardcopy)

San Ysidro Public Library
101 West San Ysidro Blvd.
San Ysidro, CA 92173
(1 Hardcopy)

Civic Center Branch Library Attn: Eric Rhee
Branch Manager, Eastlake Public Library
365 F St.
Chula Vista, CA 91910
(1 Hardcopy)

Terri Omahan
Branch Manager
San Diego County Library
Casa de Oro Branch
9628 Campo Rd., #L
Spring Valley, CA 91977
(1 Hardcopy)

Librarian
San Diego County Library
1043 Elkelton Blvd.
Spring Valley, CA 91977
(1 Hardcopy)

H. Local Agencies

Ms. Jan P. Matusak P.E.
700 N. Alameda St.
Los Angeles, CA 90012
(1)

Mr. Robert Griego
General Manager
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91978-2096
(1)

Mr. Mike Coleman
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91978-2096
(1 CD)

Mr. Robert Griego
General Manager
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91977-2096
(1 Hardcopy)

Mr. Ronald R. Gastelum
General Manager
Metropolitan Water District of Southern California
P.O. Box 54153
Los Angeles, California 90054
(1 Hardcopy)

Executive Director
San Diego Association of Governments
401 B St, Ste. 800
San Diego, CA 92101
(1)

Mr. Val Guerra
Otay Mesa Recreation Council
3618 Palm Ave
San Diego, CA 92154
(1)

Ms. Ruth J. Schneider
Otay Mesa/Nestor Community Planning Group
1042 Piccard Ave.
San Diego, CA 92154
(1)

Otay Chamber of Commerce
9163 Siempre Viva, # 12
San Diego, CA 92173
(1)

I. Environmental Organizations

Ms. Paula Forbis
Co Director - NFN Campaign
1717 Kettner Blvd., Ste. 100
San Diego, CA 92101
(1)

Conservation
Sierra Club San Diego Chapter
3820 Ray St.
San Diego, CA 92104
(1)

Ms. Kathy Siegel
Center for Biological Diversity
P.O. Box 40090
Berkeley, CA 94704-4090
(1)

Ms. Cindy Burrascano
Conservation Chair
CA Native Plant Society
771 Lorri Lane
Chula Vista , CA 91910
(1)

J. Interested Persons

Ms. Cindy Burmascanso
771 Lori Lane
Chula Vista, CA 91910
(1)

Mr. Kenneth A. Monson
Nelson & Sloan
P.O. Box 488
Chula Vista, CA 91912
(1)

L. Interested Organizations

SEMPRA Energy
Attn: Mr. Scott koken
Environmental Department
101 Ash St.
San Diego, CA 92101-3017
(1 Hardcopy)

Mr. Tom Held
RECON
1927 Fifth Ave., Ste. 200
San Diego, CA 92101-2358
(1 CD)

Dr. Serafin Zasueta
President
Southwestern Community College
900 Otay Lakes Rd.
Chula Vista, CA 91910
(1 Hardcopy)

Ms. Shirley F. Rivera
Principal
Resource Catalysts
1304 Fort Stockton Dr.
San Diego, CA 92103-1705
(1 CD)

M. Tribal Leaders

Mr. Steven F. Tesan
Chairman
Southern California Agency
Viegas Band of Mission Indians
P.O. Box 908
Alpine, CA 91903
(1 Hardcopy)

Mr. Clifford M. LaChappa Sr.
Chairman
Barona Band of Mission Indians
1095 Barona Rd.
Lakeside, CA 92040
(1 Hardcopy)

Mr. James Hill
Business Manager
La Posta Band of Mission Indians
Southern California Agency
P.O. Box 1048
Boulevard, CA 91905
(1 Hardcopy)

Mr. Howard Marcy
Chairman
Southern California Agency
Mesa Grande Band of Mission Indians
P.O. Box 270
Santa Ysabel, CA 92070
(1 Hardcopy)

Mr. Roger Simpson
Director of Community Development
Southern California Agency
Sycuan Band of Mission Indians
5459 Dehesa Rd.
El Cajon, CA 92019
(1 Hardcopy)

Mr. Ralph Goff
Chairman
Southern California Agency
Campo Band of Mission Indians
36190 Church Rd., Ste. 1
Campo, CA 91906
(1 Hardcopy)

Mr. Mark Macarro
Spokesman
Southern California Agency
Pechanga Band of Mission Indians
P.O. Box 1477
Temecula, CA 92593
(1 Hardcopy)

Mr. Kenneth Meza Sr.
Chairman
Southern California Agency
Jamul Indian Village
P.O. Box 612
Jamul, CA 91935
(1 Hardcopy)

Ms. Rebecca Marcy
Chairperson
Southern California Agency
Inaja and Cosmit
P.O. Box 186
Santa Ysabel, CA 92070
(1)

Mr. Leroy J. Elliott
Chairman
Southern California Agency
Manzanita Band of Mission Indians

P.O. Box 1302
Boulevard, CA 91905
(1 Hardcopy)

Mr. Jack Musick
Chairman
Southern California Agency
La Jolla Band of Luiseno Indians
Star Route, Box 158
Valley Center, CA 92082
(1 Hardcopy)

Ms. Catherine Saubel
Spokesperson
Southern California Agency
Los Coyotes Band of Mission Indians
P.O. Box 189
Warner Springs, CA 92086
(1 Hardcopy)

Mr. Robert Smith
Chairman
Southern California Agency
Pala Band of Mission Indians
P.O. Box 50
Pala, CA 92059
(1 Hardcopy)

Mr. Benjamin Magante Sr.
Chairman
Southern California Agency
Pauma Band of Mission Indians
P.O. Box 86
Pauma, CA 92061
(1 Hardcopy)

Mr. Tony Pinto
Chairman
Southern California Agency
Cuyapaipe Band of Mission Indians
P.O. Box 2250
Alpine, CA 91903
(1 CD)

Mr. Allen E. Lawson Jr.
Chairman
Southern California Agency
San Pasqual Band of Mission Indians
P.O. Box 365
Valley Center, CA 92082
(1 CD)

Mr. John Currier
Chairman
Southern California Agency
Rincon Band of Mission Indians
Attn: Ms. Mary Ann Green
P.O. Box 68
Valley Center, CA 92082
(1 CD)

Mr. Ben Scerato
Spokesman
Southern California Agency
Santa Ysabel Band of Mission Indians
P.O. Box 130
Santa Ysabel, CA 92070
(1 Hardcopy)

Mr. Augustine Band
Coachella Indians
P. O. Box 846
Coachella, CA 92236
(1 Hardcopy)